



Family roles

Helena Bonham Carter and the shadow of Violet Valerie Grove, P15



George Michael slows down

New album bathed in stylish limbo PAGE 31



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Movie mania

Darya Alberge on the feverish atmosphere at the film festival CANNES PAGE 5



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Carey attacks Howard over 'wild frontier' policy of revenge



Carey: "Prisons must be places of hope"

By RUTH GLEDHILL AND JILL SHERMAN

THE Archbishop of Canterbury last night accused the Government of moving towards a "wild frontier" penal system motivated by revenge rather than justice.

In an unprecedented attack on Michael Howard's policy of tougher prison sentences, Dr George Carey called for greater use of other punishments, such as community work and said: "If you treat people like animals, they will respond like animals. If you treat people with respect and justice, they are more likely to behave in a way which is

more respectful of themselves and others." Revenge-driven punishment was "what we see in wild frontier societies which have no settled legal system".

Dr Carey's address to the Prison Reform Trust was the first intervention by a Church leader in the row between the Home Secretary and the judiciary over sentencing. Several senior judges have said that Mr Howard's plans, to be detailed in a Bill this autumn, will fetter their discretion to fit the punishment to the crime and even lead to more murders. Lord Taylor of Gosforth, the retiring Lord Chief Justice, has spoken out more than once and

intends to use his last public speech on May 23 to step up his attack on the proposals.

Last night Dr Carey said that deterrence was a proper purpose of imprisonment. "But because so few criminals are actually caught, the practical deterrent effect of imprisonment is hotly disputed."

Arguing also that only a "fairly small minority" of prisoners were violent, he called for "investment in a more satisfactory range of community-based punishment, rehabilitation and reintegration in society".

He added: "One wonders how the protection of the public for the duration of a person's sentence can

justify the huge numbers who shuffle in and out of the prison system today."

His speech was immediately criticised by the Home Office Minister Ann Widdecombe, although she said the Archbishop had made a very important contribution to the debate. "Where I take issue with him is on the point that he says there are too many people in prison and deduces that this is a bad thing. Prison protects the public by taking people out of circulation and gives us a chance to rehabilitate them."

The Archbishop said that imprisoning offenders far from their homes unjustly punished innocent

families and disrupted the very relationships that could offer the best long-term hope of restoring the offender to a law-abiding life.

He particularly condemned the curtailment of home leave. "Of course I understand the need to convince the public that, as part of restoring relationships, a crime is repudiated with sufficient severity," he said. "At the same time, if the purposes of justice are to be served, prisons must be places where the motivation of hope is present and where the restoration of relationships is encouraged."

Dr Carey, who in the 1970s served as a prison chaplain at Durham,

said there had been great improvements in prisons, but too many people were still sent to jail, and he wanted to see a greater emphasis on rehabilitation in the community. "Present penal policy is, in my opinion, weighted too heavily in favour of imprisonment, to the detriment of those forms of correction which, I firmly believe, offer more hope in the long term."

Dr Carey said that despite improvements in the recorded crime rate, "the overall situation is that both crime and fear of crime have become a lot worse over a period of many years. They are now causing serious damage to the social fabric."

£31m bill for Dame Shirley and her team

By IAN MURRAY AND PHILIP WEBSTER

DAME SHIRLEY PORTER and five former colleagues were yesterday ordered to repay nearly £32 million over the Westminster City Council homes-for-votes scandal.

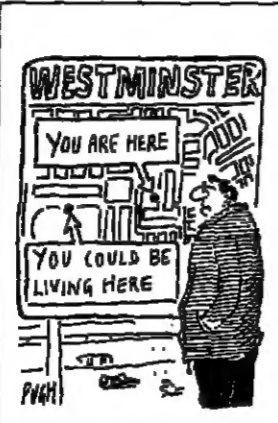
The six — three councillors and three officials — were accused by a district auditor of wilful misconduct in masterminding a gerrymandering exercise to protect the slender Tory hold on power in the borough.

But John Major and other ministers adamantly refused to condemn them, and the Prime Minister accused Tony Blair of contemptible smear tactics in accusing the Government of complicity in the "biggest single financial scandal in the history of local government".

Labour also claimed that Conservative leaders all the way up to Downing Street sanctioned the policy and demanded a public inquiry into the findings of a seven-year investigation by the auditor John Magill.

Mr Magill accused the former council leader Dame Shirley and her colleagues of trying to fix election results in marginal wards by moving out council tenants and selling their homes cheaply to people who were more likely to vote Conservative. His 2,000-page report pointed to a catalogue of deceit, obstruction and delay designed to hide "disgraceful and improper gerrymandering" between 1987 and 1990.

Mr Magill found that Dame Shirley and her colleagues had spent £31.7 million on the gerrymandering policy and that they were "jointly and severally" liable to repay it, although



he laid emphasis on the role of the former council leader.

"Councillor Lady Porter knew it was unlawful and wrong for the council to exercise its powers to secure an electoral advantage for any political party or to gerrymander or, in pursuit of such advantage for her party, she was at least recklessly indifferent as to whether it was right or wrong," he wrote.

But Dame Shirley — a Tesco heiress who would have little difficulty in finding £32 million — said that she would take the issue to the High Court. "I will appeal against it," she said. "I am confident we will win in court when the evidence and case are heard by a proper judge."

Mr Magill's investigation has been blatantly unfair. One man has been prosecuted, judge and jury. He prejudged this case two years ago when he pronounced us guilty before hearing our evidence. The accusation that Westminster "gerrymandered" and that there was a homes-for-votes policy is absurd — 85 per cent

of homes went to existing tenants.

The issue exploded in the Commons when Mr Major three times refused Mr Blair's demand that he should condemn Dame Shirley and her colleagues. The Prime Minister insisted that the issue had still to go before the courts and that those involved were vehemently protesting their innocence. He was surprised that Mr Blair had made a judgment on the outcome before it had gone to court. That was a contemptible way to behave.

Mr Blair retorted that the allegations had been proven and it was contemptible that Mr Major had refused to condemn those responsible. If he continued in that approach, "it will be crystal clear to the people that there are no depths to which the Conservative Party will not stoop to gain re-election to any office it holds."

While senior Conservatives admitted privately that the findings were deeply damaging, the Commons row continued when Frank Dobson, the shadow environment secretary, alleged that the scandal did not just involve a few maverick councillors but the whole Tory party "including people at 10 Downing St."

He used parliamentary privilege to claim that Sir John Wheeler, the Northern Ireland Minister, Sir Paul Beresford, the junior Environment Minister, Peter Brooke, the former Tory chairman, and Barry Legg, MP for Milton Keynes South West, were all involved "to a greater or lesser extent".

The report cites a letter from Dame Shirley to Mrs (now Lady) Thatcher, before a meeting with the then Prime Minister in December 1986. "We in Westminster are trying to



Dame Shirley Porter yesterday: I am confident that we will win in court

gentrify the City," Dame Shirley wrote. "We must protect our electoral position which is being seriously eroded by the number of homeless that we have been forced to house. I am afraid that unless something can be done, it will be very difficult for us to keep Westminster Conservative."

The huge surcharge imposed yesterday easily strips the £350,000 levied in 1985 on councillors in Liverpool and the £100,000 pay-back order served on councillors in Lambeth at the height of the Labour "loony left" era in local government. The judicial review of the auditor's findings is unlikely to be heard until next year and the surcharge order is suspended until then.

The six accused of "wilful misconduct" are Dame Shirley, the former deputy leader David Weeks, former housing committee chairman Peter Hartley, former managing director Bill Phillips and senior housing officials Graham England and Paul Hayler.

Fear of defeat, page 7
Sarah Baxter, page 16
Leading article, page 17

De Klerk pulls party out of ANC coalition

FROM INIGO GILMORE IN CAPE TOWN AND R.W. JOHNSON IN JOHANNESBURG

SOUTH AFRICA'S National Party yesterday announced its withdrawal from the Government of National Unity, accelerating the rand's precipitous fall on the currency markets and steep declines in the stock and bond markets.

The first South African government without a nationalist component since 1948 will be a reality from the end of next month. The split follows an extended period of disaffection between the African National Congress and F.W. de Klerk's mainly white party.

It was brought to a head by the terms of the new constitution, agreed on Wednesday, which starkly underlined the ANC's determination to dispense with a national unity government and opt for majority rule.

The move marks the end of two years of power sharing and the rebirth of the Nationalists as a true opposition to the ANC.

In a statement, Mr de Klerk, the Second Deputy President, said: "Now that the ANC has opted for a simple form of majority rule, despite the complexities of our society, we

have reached a natural watershed in the transformation of our society.

"The National Party has felt for some time now that our influence within the Government of National Unity has been declining. The ANC is acting more and more as if they no longer need a multi-party government."

"We feel that the stage has now been reached where we will be able to serve the national interest more effectively by concentrating fully on a responsible opposition role untrammelled by co-responsibility within the Government of National Unity," he said.

President Mandela said the National Party had emphasised that its decision to withdraw was not an expression of a lack of confidence in the Government.

Mr Mandela said the National Party's decision would not mean any changes for economic policies, saying they were "premised on the needs and aspirations of all".

Economic gloom, page 11
Leading article, page 17

India poll rout

India's Congress Party has been routed in a general election that left no party capable of forming a majority government. Page 12

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Wheezing hits nearly half of Britons

By JEREMY LAURANCE, HEALTH CORRESPONDENT

NEARLY half of Britain's population will suffer from asthma or wheezing by the time they reach their early thirties, but research into the problem is being critically ignored, according to experts yesterday.

A study of more than 18,000 people born in March 1958 suggests that a fifth of Britons have had asthma or a wheeze by the age of seven, a quarter by 16, and 43 per cent by 33.

But Ian Govender, the chief executive of the British Lung Foundation, said: "Britain is becoming more and more affected by wheezing illness, yet research into this area has been critically ignored... Lung disease receives only a very small share of the medical research cake compared with other areas."

The figures come from one of the largest such research programmes in the world, by the National Child Development Study. It has yielded a mass of information on health and lifestyle over the last 38 years.

The children or their parents were interviewed five times during the study. The analysis, by researchers at St George's hospital, London, shows that wheezing in childhood is linked to pneumonia, hay fever and eczema, but wheezing in early adulthood is most strongly linked to smoking.

A quarter of children who were asthmatic or wheezy at the age of seven were still suffering at 33. Many of those affected had a period of remission during their late teens,

but the condition returned in adulthood. Writing in the *British Medical Journal*, the authors say: "We believe our study is unique in showing that even after a disease-free interval of seven years or more, subjects with a history of wheezing illness in childhood retained a risk of late wheezing above that of their healthy peers."

Although it is possible that they were more aware of asthmatic symptoms or continued the same lifestyle in adulthood that caused their symptoms in childhood, the most likely reason for the recurrence was that abnormalities of the airways persisted through the teenage years.

However, the influence of maternal smoking on wheezing in early childhood was

"weak and inconsistent", in contrast to the findings of several other studies. Smoking was still a "powerful and potentially avoidable risk factor" for wheezing starting in adult life.

Dr Martyn Partridge, chief medical adviser to the National Asthma Campaign and consultant chest physician at Whipps Cross hospital, said asthma was increasing across the western world.

The cause of the increase remains a mystery, but is linked with modern lifestyles. Changes in diet and the living environment are the most likely factors.

The British Lung Foundation is launching Breathe Easy week next month to raise awareness and funds to help the wheezing population.



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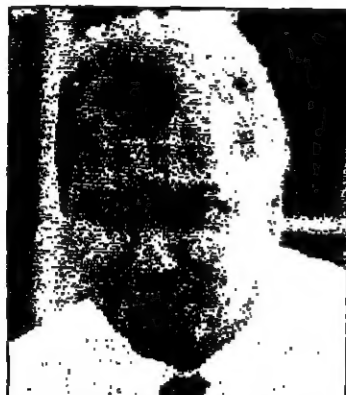
DSG 27



The endangered species discovered stuffed at Nicolaas Peters' home included, from left, the ring-tailed lemur, the Siberian tiger and the Palawan peacock pheasant. More than 500 specimens were found

Dealer had rare species killed for skulls and skins

By LIN JENKINS



Peters: admitted charges

A WILDLIFE dealer who had endangered species killed to order and their skulls and skins smuggled into Britain was jailed for two years yesterday.

Nicolaas Peters was for five years systematically engaged in the smuggling of animals threatened with extinction. A raid on his remote home led to the largest seizure of exotic specimens in Britain.

Experts had the task of identifying more than 500 items. Inspector Phil Lewis of the RSPCA said: "Walking into his house was like walking into a dead zoo." Among

items discovered were the skulls of a Siberian tiger and a monkey-eating eagle from the Philippines. Trade in both species was banned under CITES, the international convention on endangered species.

Jailing Peters at Chester Crown Court, Judge David said: "You have persistently and deliberately flouted the regulations for profit. It is clear you contemplated that in some instances birds would be hunted and killed in order to provide these specimens."

Peters, 41, a Dutchman, had pleaded guilty at an earlier hearing to eight counts of fraudulently exporting and importing speci-

mens of creatures protected under the convention. Six species under serious threat of extinction in the wild featured in the charges, including the Philippine monkey-eating eagle, of which only 50 pairs survive, the ring-tailed lemur, Palawan peacock pheasant, Humboldt penguin and blue-naped parrot.

Thomas Teague, for the prosecution, told the court: "The damage done can't be expressed in financial terms."

Peters ran his illegal business, called Identity Products, from his home at Aberhafesp, near Newtown, Powys. Mr Teague said he had sold to two dealers: Paul

Micallef, trading in Texas under the title The American Headhunter, and Jay Villemarete, trading from Oklahoma as Skulls Unlimited. Letters had been found referring to the sale for \$300 dollars to Mr Micallef of a Siberian tiger's skull and other items. Mr Villemarete had bought the skull of a babirusa, a rare protected pig. "It had special value to any collector because it was apparently used as an artefact in tribal rituals," Mr Teague said.

He read extracts of letters from a wildlife supplier, Peter Cua, which warned Peters to take precautions to avoid detection. Specimens from

Mr Cua were labelled according to a private code using plate numbers from a book on Philippine birds.

In the raid on Peters' home last August two boxes were found containing more than 250 carefully labelled skins of birds from the Philippines, of which 42 were from 16 protected species. "It is quite clear from the correspondence that Peter Cua was willing to have specimens hunted to order on behalf of the defendant," Mr Teague said.

David Whitaker, for Peters, said the business had grown from a hobby. Possessing some of the specimens was not unlawful, al-

though trading in them without a licence was. Some skins were obtained from museums and zoos and had come from animals which had died a natural death.

"Whereas once he was well regarded and respected, he is now deemed a pariah," Mr Whitaker said. "Zoos, fellow collectors and taxidermists have all effectively washed their hands of Mr Peters. His business will suffer irreparable damage long after today's outcome."

Jim Caldwell, of Customs and Excise, said: "Prosecutors in the United States and Belgium were considering charges against Peters' associates."

Fenner's groundsman was 'put out to grass'

By ROBIN YOUNG

TONY POCOCK thought he had a job for life. As only the fourth head groundsman since 1860 to tend the pitches at Fenner's, Cambridge University's cricket ground, he seemed to have cause to think he was on a good wicket.

Yet in 1994, three decades after he started work as an apprentice at the age of 16, and 14 years after he was promoted to head groundsman, Mr Pocock retired hurt because he was told to look after plastic pitches, an industrial tribunal was told yesterday.

Poor wickets for Cambridge's match against Worcestershire and the Combined Universities' game against New Zealand in 1994 brought complaints to Lord's. Inspectors from the Test and County Cricket Board decided all three wickets had to be relaid, the tribunal was told.

Mr Pocock, 48, claims he

was not told of the decision and that Harry Brind, a TCCB inspector, and Mike Corley, a consultant, were brought in to oversee the work. He says he was told by Tony Lemons, the university's director of physical education, to accept a job in the indoor sports complex, looking after synthetic pitches.

He became depressed and went on sick leave. He never went back to work and in April last year retired on health grounds. He has not had a job since. Mr Pocock is claiming constructive dismissal at the tribunal hearing in Bedford, saying he was "edged" out of his job.

Mr Pocock said yesterday: "Mr Lemons gave me the impression he wanted control of Fenner's. He wanted me out. I felt upset to see the wickets, which I had looked after for 30 years, relaid without my assistance. I loved

my job as head groundsman. My life revolved around it. I had anticipated that it would be a job for life."

He claimed the problems in 1994 were caused by the wet start to the season. He watered the pitch five days before the New Zealand game, but then had to put covers on "because the weather was so dreadful". "It would not dry out. There was nothing I could have done to prevent that," he said.

He attributed his ill health to anxiety and unhappiness at work, saying: "Until the summer of 1994, my health had been good."

Ingrid Simla, for Mr Pocock, told the hearing: "They decided to use Mr Pocock as a scapegoat. They went to outside consultants and they effectively stepped over him."

Cambridge is contesting the claim, saying there was no intention to push Mr Pocock out. Dr Andrew Cosh, senior bursar of Queen's College and a member of the Fenner's management committee, said that the university's first-class status was in jeopardy because of the way Mr Pocock had prepared the pitches. After he left the quality "was enormously better".

The pitches at Fenner's were mentioned in the 1995 edition of Wisden. The entry read: "Much has been made of the declining standard of pitches at Fenner's but this was arrested in 1994, with the promise of further improvement following the decision to relaid the entire square bit by bit, starting in the winter of 1994-95. The wet weather did not help Tony Pocock."

The hearing continues today.



Tony Pocock working on the relaying at Fenner's, where he started as an apprentice at the age of 16

Boy whose arm was torn off by chimp sues zoo

By ADRIAN LEE

A YOUNG boy whose arm was torn off by a chimpanzee, leaving a three-inch stump, began a claim for £200,000 compensation yesterday against a zoo.

Matthew McDaid, who is ten next week, was on a family visit to Port Lympne Zoo at Hythe, Kent, six years ago when a chimpanzee called Bustah reached out of its cage.

Matthew's left arm was grabbed between the bars and torn off just below the shoulder.

der. The animal brandished the severed limb at keepers who tried to retrieve it.

The arm could not be re-attached and because the remaining stump is so short Matthew cannot, at present, be fitted with a permanent false limb. The zoo, one of two in Kent owned by John Aspinall, 70, does not deny liability but disputes the level of compensation for the boy's future care and loss of amenity.

Matthew's mother Frances, of Eltham, southeast London, said her son was determined to be independent but struggled with everyday tasks and activities, including dressing, eating and playing sports.

Simon Michael, for Matthew, said the boy would need a further two or three operations if he was to have a permanent false arm fitted. There were no guarantees the operations would be a success. Matthew was a "fiercely

determined young man" who played the cello using a temporary false arm that could be fitted over his clothes. Mr Michael said. He found it heavy and troublesome but "he is determined to be as independent as he can".

Mrs McDaid, who works part-time in a department store, had described how her son battled to cope. Simple chores such as washing, brushing his teeth, buttoning his shirt, unzipping his trousers and cutting food were either impossible or took many minutes.

Matthew, who will not give evidence, sat at the back of the court writing in a book as his parents gave evidence at the High Court. So far he has received £8,250 in interim payments, while his parents were awarded £11,000 in a separate case, in 1993, for damages and shock.

The hearing continues.

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Father says poor malaria advice led to daughter's death

By JOANNA BALE
AND TIM JONES

A FORMER adviser to Margaret Thatcher has called for more information to be given to travellers on the dangers of malaria after his daughter died of the disease.

Dr Caroline Fraser, 40, died after contracting malaria on holiday in South Africa. After an inquest into her death yesterday, her father, Sir Angus Fraser, claimed that she had not been given enough advice. He said: "From what I have heard in court I feel she should have got more."

Dr Fraser, a physics lecturer at Christ Church, Oxford, died three weeks after returning from South Africa in January this year. She was found dead in her bed at Christ Church on January 29. A post-mortem examination showed that she had died of malaria. Her travelling companion, Bridget Townsend, told the inquest that the travel agency advised them about vaccinations and precautions. They also consulted their GPs.

Miss Townsend said they had received conflicting advice about malaria tablets and did not buy any until they arrived in South Africa on December 15. They travelled all over the country, spending most of the trip camping, but did not have mosquito nets.

Miss Townsend said: "It was a ritual to cover ourselves in mosquito repellent and to take our tablets. We were both bitten, but Caroline was bitten more than me." She said that they took the recommended dose and never forgot to take the tablets. Miss Townsend



Caroline Fraser: given conflicting warnings

said: "We got back on January 7 and I continued taking the tablets for two weeks. Caroline was taking her tablets up to January 19." Miss Townsend said that Dr Fraser stopped taking the tablets before she had. She said: "Caroline said she had finished with them, but it was said in a way that meant 'don't nag me'."

Dr Fraser telephoned Miss Townsend to say she felt ill. "Caroline said it was flu-like and she felt delirious," Miss Townsend said.

Nurse Frances Fairweather, told the inquest that Dr Fraser came to see her at the college on January 25. "She said she had been feeling unwell for three days. She said her limbs ached and she felt flu-like. I took her temperature and checked her throat, but saw no signs of infection. I suggested that she went to bed and I gave her pain killers. She did not mention she had been abroad." Four days later

Nurse Fairweather went to check on her and found her dead in bed.

The court also heard a statement from Dr Ken Worthy-Browne, of the Jericho Medical Centre in Oxford. He said he had inoculated Dr Fraser and advised her on malaria tablets. At this point, Sir Angus asked for more details on the advice his daughter had been given but as the doctor was abroad, the coroner, Nicholas Gardiner, said that no further details were available.

Professor David Warrell of the centre for tropical medicine at the John Radcliffe Hospital, Oxford, told the inquest that over the past few decades malaria had been well controlled, but this year, because of heavy rain, the number of victims had dramatically increased. He said: "There have been 100 malaria deaths this year in South Africa."

He advised people to take the tablets for one week before going on holiday and four weeks after returning. He said travellers should always wear repellent and use mosquito nets. He admitted that the most commonly used malaria tablets were not as effective as they used to be because mosquitoes had built up resistance over the years.

He said there were more effective drugs but they had severe side effects. Mr Gardiner recorded a verdict of death by natural causes. Afterwards, Dr Fraser's brother Simon, 32, said: "There must be ways to make clear to people travelling abroad what they should and should not be doing."



Opening scene: Fanny Ardant and Judith Godrèche launch their film *Ridicule*, the first of the festival, but the press pack was desperately seeking Madonna

Absent Madonna with child steals show at Cannes

By DALYA ALBERGE, ARTS CORRESPONDENT, IN CANNES

HAVING spent years securing a berth as the brassy blonde who would overstep any mark and grab any photo-opportunity to hog the headlines, Madonna made herself the focus of attention in Cannes yesterday by being nowhere to be seen.

Photographers are waiting for her expected first public outing since last month's announcement that she is with child. At the film industry's festival, where almost everyone wants to be seen, only the biggest names can play around with invisibility.

The festival started formally last night, with the launch of a film appropriately named *Ridicule*. Out of 4,000 journalists in town, most seemed more interested in combing the French Riviera for the singer-cum-actress. If they can't get a sighting of her, they will settle for Dustin Hoffman or Catherine Deneuve.

Some things never change. The grand hotels that hug the curve of the Croisette are teeming with writers, financiers and hangers-on, all talking about more movies than will ever make it to the screen. The beautiful people are indulging in shameless eye-to-eye contact with the useful people. Producers, directors and deal-makers are accompanied by stunning girls who may not always have chosen these men for

their looks. Meeting the right people is the trick. One man found his way into the hotel room of Nicolas Cage and Patricia Arquette, discovering him under their bed, they screamed. He ran off.

Starlets still go knocking at producer's hotel-room doors. As casting does not always demand acting skill, the technique sometimes works. However, fear of Aids is believed to have made the festival's social activities more restrained. One observer recalled: "Girls used to be dressed in evening clothes when they came out of hotels in the morning. You don't see that as much now."

With more than 600 films at this 49th festival, competition is fierce and a launch party can make all the difference. In being noticed or ignored, Miramax, a subsidiary of Disney, is liaising with Polygram, a British company, in throwing a bash for *Trainspotting*, the drama set among drug-takers in Edinburgh. Up to 1,200 guests will party until 6am.

Another party is for *Fargo*, by the American Coen brothers, Joel and Ethan. As the film is set in a snow-covered landscape, artificial snow will be laid down at a French villa.

"It's a very hip film," a Polygram insider said. "We'll be celebrating in a suitably hip way."

Drugs increasingly fail to provide protection

By JEREMY LAURANCE

CASES of the severest kind of malaria have risen sharply in the past decade and there has been a dramatic increase in cases where drugs have failed to provide protection. A growing number of travellers to exotic climes fail to follow advice on protection and are now dying with death.

Last year more than 2,000 people who visited malarial zones developed the disease after returning to Britain and five died. The year before there was a similar number of cases and 11 deaths.

All the deaths were caused by *plasmodium falciparum*, a parasite that causes a malignant form of malaria with a death rate of 20 per cent if left untreated. The parasite ac-

counts for more than half the cases in Britain and it is resistant to standard treatment with chloroquine.

Dr Ron Behrens, director of the travel clinic at the Hospital for Tropical Diseases in London, said: "West Africa is by far the highest risk area. But central Africa and parts of Tanzania are also risky. We have just had our first South African death."

In many places the risks depend on the state of hygiene services and investment in mosquito control. People travelling to high risk areas are advised to take mefloquine (brand name: Lariam) but this is now the subject of review by the Malaria Study Group after reports that users have

experienced psychological side effects, including depression and nightmares.

Dr Behrens said: "I do recommend mefloquine but it all depends on the risk of disease. Where it is high you have got to take an agent that is effective even though there is a risk of a reaction. It is a question of balance."

No anti-malarial drug is totally effective. A report in the *Lancet* said that the average time for malaria to become manifest after a return from an overseas holiday, and when the prophylaxis has been ineffective, is about 14 days for those taking chloroquine and paludrine and 44 days for those taking mefloquine.



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How the fear of defeat led to Tory housing scandal

REPORTS BY RUSSELL JENKINS, IAN MURRAY
ALICE THOMSON AND SARAH CUNNINGHAM

THIS week is the tenth anniversary of the local government elections which threw the ruling Tory party in Westminster, and Dame Shirley Porter in particular, into turmoil.

In 1986 the Conservatives on Westminster City Council came within 100 votes of losing four marginal wards, which would have given control to Labour. Defeat would have been a political disaster not only for the ruling group but also for Margaret Thatcher, who regarded Dame Shirley and her regime as a shining, radical example.

Westminster represented the praetorian guard of Thatcherism outside the House of Commons. Dame Shirley, naturally combative, contemplated the "nightmare idea" of Labour control and determined that the Tories should never come so close to defeat again. How she set about achieving that aim is

detailed in the 2,000-page report by Westminster's appointed auditor, John Magill. Designated house sales Mr Magill's investigation was launched after BBC's *Panorama* exposed the council's plans to turn eight wards — Bayswater, Cavendish, Hamilton Terrace, Little Venice, Millbank, St James's, Victoria and West End — from Labour marginals into Tory strongholds by selling vacant council houses, encouraging home ownership and expelling the homeless. Mr Magill concludes that this amounted to gerrymandering, "which is a disgraceful and improper purpose".

Strictly speaking, gerrymandering means rigging electoral boundaries to improve one's own party's chances of election. It is derived from the case of Elbridge Gerry, a 19th-century governor of Massachusetts, who created a congressional district in the shape of a salamander.



Dame Shirley Porter has always considered herself the real handbag-holder of true-blue Tory politics. Even Baroness Thatcher pales in comparison to the flamboyant former leader of Westminster City Council.

Dame Shirley, left, outstripped Downing Street with her obsession with privatisation and publicity. She once led a camel to County Hall in London, ruled by Ken Livingstone, her greatest enemy, to protest about high rate precepts "capable of breaking the camel's back". She dressed as a Red Indian squaw in a

crusade against litter. Yesterday, she reacted with defiant aplomb to the district auditor's report. She will always consider herself right, according to former aides, who mock her claim that she is "a shy and retiring, lovely person underneath". In times of trouble she is known to sing her favourite song, *Smile Though Your Heart is Breaking*.

Dame Shirley was born in 1930 in Clapton, east London, the daughter of a Jewish grocer, Jack Cohen, who went on to build the mighty Tesco chain on the

"pile it high, sell it cheap" philosophy.

She and her husband Sir Leslie Porter, chairman of Tesco from 1973 to 1985, are believed to control several million shares worth at least £56 million. The couple, who now live in Israel, ranked 254th in the latest *Sunday Times* list of Britain's richest 500.

Money has not always been an obvious concern, however. She once allowed three Westminster cemeteries to be sold for £5p to property speculators. They were subsequently resold for £1.2 million.

ster, foster high-cost housing in the eight wards and close hostels for the homeless.

Mr Magill states that the policy to "achieve electoral advantage in eight marginal wards" was devised by Dame Shirley and a handful of others and that "smoke-screens" were erected to hide their actions. Euphemisms were adopted, such as "new electors" and "new residents", to disguise the policy.

Delay and obstruction Mr Magill said that his investigations were hampered by the wilful shredding of documents. He criticises Dame Shirley for destroying important papers known to be in her possession in July 1989.

There was delay by the council in locating and handing over documents, and many people he wanted to interview offered "inaccurate and, in some cases, misleading information."

The auditor's summary Dame Shirley and her council exercised their power to dispose of council properties un-

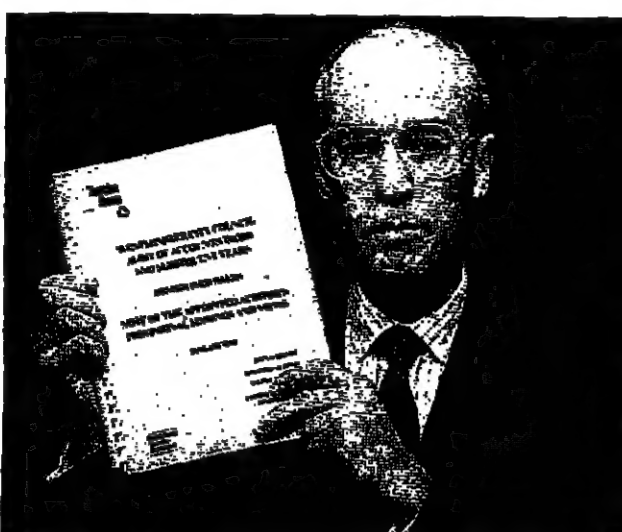
lawfully and the housing committee, in particular, misdirected itself in law. The council failed to carry out its duty under the 1985 Housing Act to give reasonable preference to the needy and homeless.

Mr Magill concluded that the decision to increase designated sales in the eight wards was simply a means to boost Tory support. The decisions to increase sales and begin a scheme of capital grants were "unlawful, unauthorised and to the detriment of the interest of local taxpayers".

He says the strategy was instigated, promoted and supported by Dame Shirley, who then sought to cover up her role. Her evidence was "evasive, false and misleading". Either she knew "it was unlawful and wrong for the council to exercise its powers to secure electoral advantage", or she was "at least recklessly indifferent as to whether it was right or wrong".

Sarah Baxter, page 16
Leading article, page 17

Painstaking accountant who pursued the truth with dogged determination



JOHN MAGILL is an accountant by training and instinct who has been drawn to the centre of the political stage by his passion for detail. In the 27 years since he qualified, he has built a reputation as a meticulous investigator, never happier than when sifting quietly through columns of figures and facts to track down the truth.

His seven-year inquiry into Westminster's alleged homes-for-votes policy has thrust him unwillingly into the limelight. Dame Shirley Porter and her colleagues see him as conducting a witch-hunt. The objectors see him as mounting a crusade for the homeless.

He gave a press conference in 1994 to announce his provisional findings — that there had been gerrymandering and improper conduct. Having been severely criticised for going public before he had heard all the evidence, he decided not to speak yesterday. Since 1989 he has worked almost full-time on the Westminster case. He is a senior partner in Deloitte & Touche, which was paid £275 an hour. He has conducted 135 interviews with 50 different people.



DAVID WEEKS, a council member since 1974, was among Dame Shirley Porter's closest confidants and succeeded her as council leader in 1991. Successively chairman of the housing, finance and planning committees, he knew intimately the main policy areas involved in the designated homes sales. The report says he knew "it was unlawful and wrong for the council to exercise its powers to secure electoral advantage for any political party or to gerrymander... He lied as to the purpose of the policy." He is still a member of the council.



PETER HARTLEY was elected in 1978 and became chairman of the housing committee in 1986. He was in charge of the committee for most of the period investigated, resigning from council membership in February 1988. The report says that he tried to deceive committee members by "cosmetic" adjustments to the designated housing sales list. According to the auditor, Mr Hartley "did not act reasonably or in the belief that any expenditure resulting from the decisions of the housing committee was authorised by law".



BILL PHILLIPS, managing director of the council between 1987 and 1991, was a civil servant for eight years before switching to local government in 1979 as assistant county council secretary in Kent. He joined Westminster as head of policy in 1986 and was promoted to the top job within a year. He resigned in 1991 and now runs a recruitment agency. The report says the evidence proved he was aware of the political objective in the homes-for-votes policy. "He gave 'evasive, false and misleading evidence' and 'lied as to the purpose of the policy'."



PAUL HAYLER was assistant director of housing in the period investigated by the auditor and was transferred to the chief executive's department after he was named in the 1994 report. The auditor says he was fully aware that there was no housing management reason for pushing sales in marginal wards. Although he knew it was "unlawful and wrong for the council to exercise its powers or expend its resources to secure electoral advantage for any political party or to gerrymander", he helped to put up smoke-screens.



GRAHAM ENGLAND was director of housing throughout the period investigated by the auditor and his careful notes of meetings about the designated sales policy were a crucial part of the evidence. The auditor found that he wrote "blunt notes", warning Dame Shirley Porter that the policy was wrong. He also, however, "assisted the unlawful objective" of improving the electoral objectives of the Tory group leaders. This action included giving misleading evidence to the QC advising the council on the legality of the policy.



BARRY LEGG was elected to the council in 1978 and was chairman of the financial management and personnel sub-committee from 1986 to 1990 and a member of Dame Shirley Porter's inner circle. He became MP for Milton Keynes South West in 1992. He is a founder member of Conservative Way Forward and a member of the Bow Group. The report concluded that although he was aware that the sales policy was improper, there was not enough evidence to show that he realised he was supposed to disclose this.

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Awards recognise gallantry of Welch Fusiliers in Bosnia

By MICHAEL EVANS, DEFENCE CORRESPONDENT

SOLDIERS from The Royal Welch Fusiliers who fought pitched battles with the Bosnian Serbs and were later held hostage monopolise this year's Armed Forces' gallantry awards, announced yesterday. Eighteen members of the battalion have been given awards for gallant and distinguished service in the former Yugoslavia, including three Military Crosses and one Conspicuous Gallantry Cross, only the second time that medal has been awarded since it was introduced in 1993. Army sources said that in terms of "quality of awards", it represented the most significant number of medals given to a single battalion since the Second World War.



Leading a patrol to observe the ceasefire line north of Gorazde, eastern Bosnia, "The hail of bullets was so fierce that the walls of the empty house which the patrol was occupying at the time began to disintegrate," the MoD said. Lieutenant Nightingale, who is single and comes from Sheffield, crawled forward with one of his men to engage the Serb positions and direct fire. He then gave orders to withdraw to a safe location under the cover of smoke. The patrol fired nearly

1,000 rounds of ammunition in about 15 minutes. "His prompt action and clear and effective orders ensured that his patrol was extracted safely in the face of a heavy weight of fire and in extreme danger," the MoD said.

He and 24 other members of his company were taken hostage on May 28 when the Serbs attacked British UN observation posts outside Gorazde. The MoD said: "He took command of the hostages and exercised strong and effective leadership."

When the men were released after two and a half weeks, he admitted that he had once feared the Serbs were going to kill him. He said: "I thought, 'Shallow grave time, here we go.'"

Sergeant David Parry, 29, a section commander with The Royal Welch Fusiliers in the rank of corporal, was awarded a Military Cross for his leadership after his observation post was overrun by more than 35



Lieutenant-General Rupert Smith, left, Colour Sergeant Peter Humphreys, Lieutenant-Colonel Jonathan Riley and Sergeant David Parry

Serbs. Sergeant Parry, married and from Llanidloes in Powys, eventually succeeded in persuading the Serbs to move his men to a more protected position and withdrew while being fired on by Muslim mortars and machineguns. They were then held hostage by the Serbs for seven days, during which time "he remained cool and provided outstanding leadership."

The Conspicuous Gallantry Cross, which can be awarded to all ranks and was announced by the Government as part of John Major's attempt to bring equality to the

awards system, was given to Colour Sergeant Peter Humphreys, 34, a platoon sergeant in B Company at Gorazde. In April and May the anti-sniping patrol of Saxon armoured vehicles he commanded fought off attacks from Serb machineguns. On the second occasion he formed his vehicles into a shield to protect an aid convoy that arrived in Gorazde just in time for a woman to give birth. Sergeant Humphreys is married and from Caernarvon in Gwynedd.

The battalion's honours total while serving in Gorazde comprised one Distinguished Service Order, awarded to Lieutenant-Colonel Jonathan Riley, the commanding officer; one Conspicuous Gallantry Cross, three Military Crosses, seven Mentioned in Dispatches, two Queen's Commendations for Valuable Service and two MBEs.

Others decorated included Flight Lieutenant Andrew Hall, an RAF officer serving in Sarajevo as a UN military observer who was held captive by the Serbs for 20 days. He has been appointed MBE. Lieutenant-General Sir Rupert Smith, commander of the 27,000-man UN Protection Force (Unprofor) in Bosnia, has been awarded a Bar to his DSO for his outstanding leadership throughout 1995. He was the "author" of the Nato air campaign that led directly to a ceasefire agreement and the subsequent Dayton peace accord. He won his first DSO in the Gulf War. The award of a Bar to a DSO has not been given since 1965, when it was awarded to Major-General Walter Walker, director of operations in Borneo. Lieutenant-Colonel Riley won the DSO for his inspirational leadership during the

List of awards, page 18

Delays damage defence projects

By MICHAEL EVANS

INCREASING technical difficulties have led to costly delays in completing key defence equipment projects, the National Audit Office said yesterday. Fifty per cent of weapon systems entered service below the required performance level.

technical difficulties that emerged.

The Royal Navy's EH101 Merlin helicopter project suffered a 29-month delay during development because of technical trouble. This forced the Navy to extend the service of the existing, less capable Sea King helicopters.

Costs of the Navy's vertical launch Sea Wolf missile system rose by £80 million because of an original "imprecise technical specification" and an underestimate of the work involved.

In another case, the radar fitted to destroyers and frigates, which first entered service in 1989, had problems with the antenna and tracking system. The NAO said the radar was unlikely to reach its full potential until ten years after it first entered service.

Ministry of Defence Initiatives to Manage Technical Risks on Defence Equipment Programmes, National Audit Office (Stationery Office: £9.85)

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BY PHILIP WEBSTER

Cash beats his rivals with all-night sitting

AN ALL-NIGHT vigil by the Tory Euro-sceptic Bill Cash was rewarded yesterday when he won the right to test opinion in the Commons on a referendum on Britain's future in the European Union.

Armed with sandwiches, a flask of tea and a few nips of whisky, the indefatigable Mr Cash parked himself in the waiting room outside the Commons Public Bill Office on Wednesday night to ensure he would be first in the queue at 10am yesterday to secure a slot for a ten-minute rule Bill.

The much-prized position, which enables MPs to raise items of interest at prime time

in the Commons, was sought by several MPs, notably Mr Cash's fellow Euro-sceptic Teresa Gorman. But his readiness to stay up all night meant that he could beat his rivals.

He had slept for a few hours and was tucked up on a camped at 6am when the Liberal MP Alex Carlisle arrived, hoping to win a slot for his Bill to cut the number of women jailed for fine defaulting.

Mr Carlisle, who had been confident of being first, said: "I am fond of Bill but it was not a

pretty sight at 6 in the morning. I uttered a moderate expletive, exchanged a few sentences and left, beaten."

At 7am Mr Cash was disturbed again, by Ms Gorman. She was hours too late, but took her defeat well. "Mr Cash has a good track record on leading successful onslaughts on the European issue," she said. "I don't mind who pulls the trigger so long as we have the guns lined up."

The Government, however, is the real loser. Mr Cash is

chief co-ordinator of Euro-sceptic tactics on the Tory benches and should get a good turnout for his Bill, to be heard on June 11, which will provide for a "who governs Britain?" referendum.

He said yesterday: "Ours will be a proper referendum, unlike the Government's which is based on the absurd proposal that a Conservative Cabinet can say 'Yes' to a single currency."

Two weeks ago Iain Duncan-Smith, another sceptic, encouraged 60 Tories to back a Bill to curb the European Court. If Mr Cash does anything like as well it will be another graphic reminder of Tory discontent with Brussels.

Scottish Tory conference

Forsyth condemns plans for a 'pygmy parliament'

BY ANDREW PIERCE AND GILLIAN BOWDITCH

MICHAEL FORSYTH, the Scottish Secretary, made a defence of the 300-year-old Union a cornerstone of the Tories' general election campaign yesterday in an attempt to avoid humiliation at the polls.

In a patriotic speech at the opening of his party's Scottish conference, he said only the Tories had the "sacred role" to save Scotland. "It is our birth-right to be Scottish. It is our good fortune to be British. It is our duty to be Unionists. We will fight to win."

Tory strategists hope that opposing devolution will be a vote winner in Scotland. They believe that the party's performance there in 1992 was boosted by John Major's staunch defence of the Union.

Mr Forsyth attacked Labour and the Liberal Democrats for their proposed tax-raising Scottish parliament, which he said would cost £75 million in the first year, or £6 a week for each family. "It will destroy the United Kingdom and Scotland's vital services. It would diminish Scotland's influence in Westminster. It is a pygmy parliament."

Mr Forsyth, in an eve-of-conference interview, appeared to be at odds with the Prime Minister when he said that a Scottish parliament,

once established, could never be abolished. "The ornate once made cannot be turned back into eggs."

Mr Forsyth has raised the political temperature on the issue by warning voters in Scotland that they could not have a tax-raising parliament on approval and expect a Tory government to abolish it if it became unpopular. But yesterday Mr Major refused to back Mr Forsyth's uncompromising stance. "Parliament is sovereign. Parliament passes its own legislation. Parliament will have to decide whether it could undo it," he told BBC Radio Scotland.

Senior Scottish Tories immediately tried to patch up any suggestions of a split. How-

ever, an aide of Mr Forsyth added to the confusion by saying: "There is no way a Scottish parliament could be undone." He said that Mr Major was technically right that Westminster could flex its muscles and scrap the Scottish parliament, but added: "A Tory government at Westminster could also send tanks north of the border to capture a Scottish parliament that has been occupied by the Scottish nationalists. They could do it. But they won't. It's never going to happen."

Labour has accused Mr Forsyth of scaremongering after he gave warning in his speech yesterday that a Labour government would exceed its powers to raise taxes by 3p

in the pound. Mr Forsyth, who calls it the tartan tax, said in his speech yesterday: "They say it is capped at 3p in the pound but these are the people who say they don't believe in capping in local government."

Nine Cabinet ministers, including Mr Major, will be flying to Aberdeen for what is the last Scottish Tory conference before the general election. Their theme is fighting for Scotland, which is the most beleaguered part of the Tory empire. The party has ten out of 72 MPs and controls no local authorities.

Mr Forsyth's abrasive campaigning style on the "tartan tax" appears to be working. An ICM opinion poll in *The Scotsman* yesterday showed Tory support to be up one percentage point to 18 per cent and Labour down three points to 45 per cent. The poll also showed that 43 per cent of Labour supporters would be less likely to vote for a party that proposed a 3p tax raising power for a Scottish parliament as opposed to 41 per cent who would be more likely.

John Major, in his BBC interview, said that a devolved Scottish parliament with tax-raising powers would be a "stepping stone that would inevitably lead to a schism within the United Kingdom."

Phantom police force

THE Tory party admitted misleading the public yesterday over the number of police the Government had put back on the beat.

A series of advertisements in the Scottish press entitled "fighting crime" boasted that an extra 19,000 officers had been recruited since 1979. Tory officials, however, conceded that the true figure was only 1,265.

The Scottish Police Federa-

tion had circulated a leaflet at the conference that said: "The facts that are than in December 1979 the total number of police officers in Scotland was 13,214. In December 1995, it was 14,479. As you can see, the actual increase over 17 years is not 19,000 but 1,265."

An embarrassed Tory official said: "Oh God, it's our fault. It's a typographical error."

Heseltine angers party activists over EU beef ban

BY ANDREW PIERCE AND GILLIAN BOWDITCH

CABINET disagreements on how to end the European Union ban on British beef flared up at the Scottish Tory party conference yesterday.

Michael Heseltine, the Deputy Prime Minister, angered Tory activists meeting in Aberdeen, in the heart of Angus beef country, with his call for Britain to work closely with the EU.

But Michael Forsyth, the Scottish Secretary, cheered the party faithful with a condemnation of the ban, which he said was not justified on health grounds and was driven by a desire to steal Britain's share of the market.

Mr Heseltine adopted a note of appeasement in his speech when he told representatives that the Government had to work with consumers around the world to convince them of the safety of British beef. He made clear that it was not only Europe that enforced a ban. The United States had done so several years earlier. "We will work with our partners to develop the most effective means to achieve this end," he said.

But it was Mr Forsyth, with his strident anti-European tones, who accurately reflected the mood of the conference. He told farmers that the ban on British beef was a "cynical elimination of a formidable competitor from the market".

To rapturous applause, he declared that despite it being Europe day he had no intention of flying the European flag. "I will put the flags out when the European Union lifts the ban on our farmers. I am told that refusing to fly the

flag was petty. I can live with that. What I cannot live with is one of our most productive and efficient industries being put on the rack for no good reason."

"I promise the farmers of Scotland that we will stand by you at this difficult time. Not only is it safe, Scottish beef is among the best in the world and we want the market we are entitled to."

The mood from the conference floor was volatile as a succession of farmers spoke of the hardship they had endured. Adam Bruce, prospective parliamentary candidate for North East Fife, described the ban as utterly cynical. "The European export ban is the most blatant piece of political posturing ever to come out of the Council of Europe. It's unjustified, unprincipled and blatantly illegal."

Helen Gilbert, a farmer from Gordon, told Mr Forsyth that the Government was doing too little. "There are people whose livelihood has been wiped out overnight. We are told the Government is working on our behalf but it's not good enough. These people still don't have jobs. The refrigerated lorries stand idle. We don't want compensation, we want our markets back."

Senior Tory officials began a damage-limitation exercise after the two ministerial speeches. They insisted that the only difference between Mr Heseltine and Mr Forsyth was on style. "It's about tone, not policy. The Cabinet is united," an official said.

Left backs Brown on child benefit

BY JILL SHERMAN, CHIEF POLITICAL CORRESPONDENT

GORDON BROWN gained the upper hand in the controversy over his child benefit plans yesterday when he won support from both old and new Labour.

The Shadow Chancellor's proposed scrapping of child benefit for 16 to 18-year-olds, which has been strongly opposed by some Shadow Cabinet members, was also endorsed by Labour's top policymaking committee.

An editorial in the left-wing *Tribune*, which has persistently criticised Tony Blair's attempts to modernise the party, supports Mr Brown's plan to concentrate benefits on the children of poorer families who stay on at school or college. "The newspaper says: 'Brown is understandably peeved that a mother of a sixth-form Etonian can still receive child benefit.' It praises his intention to focus funds on 'laudable skills training for deprived youngsters from the inner cities'."

Meanwhile the *New Statesman*, a left-of-centre magazine recently taken over by the MP Geoffrey Robinson, an ally of Mr Blair, also lends its support. "Labour is at last starting to face up to the challenge it will face in office to modernise the welfare state," it says. "The beneficiaries should be those in poverty or insecurity, not the majority of us. These principles are wholly consistent with Brown's intent on child benefit."

On Tuesday Labour's joint policy committee, made up of members of the Shadow Cabinet and of the National Executive Committee, also approved the child benefit reforms.

Yesterday Mr Brown said: "We've got 25 per cent youth unemployment in our inner cities, we've got 60 per cent black youth unemployment in central London, and we've got a third of people leaving school without the qualifications necessary to get jobs. We have therefore got a crisis. We have to ensure that more young people stay at school and more young people get qualifications."

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THE TIMES

BUSINESS EDITOR Lindsay Cook

FRIDAY MAY 10 1996

Polly Peck's bank faces claim for compensation



Forsyth: five-year sentence

By JON ASHWORTH

THE joint administrators of Polly Peck International (PPI), the collapsed fruits-to-electronics group, have begun legal proceedings against SBC Warburg over the activities of Elizabeth Forsyth, the former banker jailed for five years for handling £400,000 in stolen funds.

Deloitte & Touche is seeking compensation from the merchant bank for allegedly paying PPI money to Mrs Forsyth, even though she was not a signatory to the PPI account.

The so-called breach of mandate claim coincides with a House of Lords ruling which could release a further £2 million to PPI creditors. Lawyers acting for Deloitte & Touche are understood to have obtained a freezing order over the bulk of the monies lodged in bail for Asil Nadir, the fugitive PPI founder, who fled Britain in May 1993 while awaiting trial on fraud and theft charges. The sum of £2 million plus interest is understood to be lodged in a client account held by Mr Nadir's former solicitor.

SBC Warburg was not able to comment last night on the move by Deloitte & Touche, which stems directly from Mrs Forsyth's conviction on two counts of handling stolen funds. During her trial, it was alleged that she had travelled to Switzerland to collect funds transferred to a PPI account with SG Warburg Sodite in Geneva. It is alleged that the bank handed over the money in cash, even though she was not a signatory to the PPI account. She paid the bulk of the funds into a nearby bank for transfer back to the UK, and claimed not to have seen the PPI name on a banking receipt.

Deloitte & Touche is seeking compensation to the value of £400,000. Yesterday's House of Lords ruling provided a welcome victory for Ramadan Guney, the Turkish Cypri-

or businessman who provided £1 million of Mr Nadir's £3.5 million bail. The judge presiding over the Nadir hearings, Mr Justice Tucker, did not accept that Mr Nadir had effectively surrendered himself to the court at a preliminary hearing in June 1992, even though he was present at the hearing and pleaded not guilty to the charges put to him.

The judge ruled that Mr Guney should forfeit £650,000 after Mr Nadir fled Britain for northern Cyprus. The order was overturned by the Court of Appeal, which held that a surrender to the custody of the court occurred when a defendant on bail attended the court and subjected himself to its directions. That ruling was upheld yesterday by five law lords, to the relief of Mr Guney, 66, of Green Lanes, north London.

In his ruling, Lord Steyn said that the pre-trial hearing had taken place at Chichester Rents in Chancery Lane—a court building with no cells, no dock and no custody area set aside for persons surrendering to bail to report to an official. Lord Steyn ruled that a defendant's pre-trial bail lapsed when he was "called to the bar by name", had the indictment read to him and was asked whether or not he was guilty.

Consumers help output to inch ahead

By JANET BUSH AND PHILIP BASSETT

BRITISH manufacturing activity showed another small monthly rise in March, largely reflecting a rebound in the production of goods for purchase by consumers, but overall this key sector remains stagnant. Manufacturing output rose 0.2 per cent, the third small monthly increase in a row. But the Office for National Statistics said that manufacturing still fell by 0.2 per cent in the latest three months compared with the previous three and that its judgment of underlying trends suggests that manufacturing is showing no overall growth. Industrial production, which includes the output of the North Sea, increased 0.3 per cent in March, compared with the February figure. In the latest three months, industrial production was 0.2 per cent higher than in the previous three months, but the ONS said that it was showing no underlying growth.

The ONS said a month ago that there was no underlying growth in both industrial and manufacturing output in February—the first time this had happened since September 1992, the month when sterling was forced to leave the European exchange-rate mechanism (ERM). The Purchasing Managers' Index published last week was at a post-ERM crisis low, backing up statisticians' estimates of industrial trends and suggesting that the economy is not about to embark on an imminent improvement.

The only area of manufacturing which showed some strength was production of consumer goods, which rose by 1.1 per cent in the first quarter of this year, compared with the fourth quarter last year. The Confederation of British Industry's latest distributive trades survey published today show that high street sales are improving, but only modestly. Sales still remained well below retailers' expectations.

The CBI said that, in spite of something of an upward trend in retail sales volumes—though the underlying growth trend is levelling off—for the second month in succession, retailers consider business as only just above average for the time of year.

A net balance of 32 per cent of retailers—those reporting higher growth set against those recording falling sales—said sales volumes were rising in the CBI's survey of 15,000 outlets in April. But this is below expectations of growth among a net 40 per cent, and only 8 per cent see sales volumes as above average now.

While a net 40 per cent of high street outlets believe that sales will grow over the next month, CBI analysts point out today that such expectations have proved to be over-optimistic in the past two surveys.

All sectors in retailing, with the exception of specialist food shops, saw some rise in sales volumes, though the CBI says today that the three-monthly moving average of high street sales is now levelling off after rising consistently since last September.

Alastair Eperon, the chairman of the CBI's distributive trades survey panel, says today: "It is encouraging that the increases in sales volumes in March were carried through into April, although the boost to trade following an early Easter may have contributed to growth in some sectors."



Sir Alistair Grant, who is to retire from Argyl, with Jack Hanford, Safeway's advertising boy

Grant to retire from Argyl

By CLARE STEWART

SIR Alistair Grant, chairman of Argyl, the supermarket group, is to step down next March on reaching his 60th birthday.

Sir Alistair, a director of Argyl since 1977 and chairman since 1988, will not retain a boardroom role with the food group after leaving the chair. "I want to be a good friend to the management," he said, "it doesn't make sense to have a lingering involvement after retiring. He remains a significant investor in Argyl through his family holding of about a million shares."

Sir Alistair earned £627,000 in 1995 and his shareholding is worth £3.24 million at yesterday's closing price of 341½p. He also has 760,000 share options exercisable at prices from 191p to 363p.

David Webster, deputy chairman, succeeds Sir Alistair. Colin Smith continues as chief executive. Simon Laffin moves up to the post of finance director.

Sir Alistair says he always planned to retire at 60. His departure comes at time of ever-fiercer competition between supermarket groups. Sainsbury this week announced a sharp fall in profits, from £809 million to £712 million. The departure coincides with change at the top of Tesco, whose chairman, Sir Ian MacLaurin, is to retire next June.

Sir Alistair's time with Argyl spans its abortive bid for Distillers under the former chairman, James Gulliver, and acquisition of Safeway. One City analyst described this as Sir Alistair's biggest success, with the chain being transformed into one of the leading supermarket groups.

Sir Alistair is a director of the Bank of Scotland and of Scottish & Newcastle Breweries, and is unlikely to be short of further directorship offers.

Britannia fined under Pep rules

By ANNE ASHWORTH

THE unit trust arm of the Britannia Building Society has been fined £37,500 by the Investment Management Regulatory Organisation (Imro), the City watchdog.

The fine, which relates to breaches of the personal equity plan (Pep) rules resulting in a breakdown in procedures designed to protect investors' cash, is the second largest imposed by Imro this year. Last month, National Westminster Bank had to pay £75,000, having also fallen foul of Pep regulations.

In addition to its fine, Britannia Fund Managers, which has a total of £650 million in its care, has also been ordered to pay £26,000 in compensation to Pep customers. It must also meet Imro's costs of £22,000.

A routine Imro monitoring visit revealed that, between February and December 1994, Britannia Fund Managers failed to bank and invest cash from its Pep clients on time.

Imro found that cash from 5,000 customers was not paid into a client bank account within the required period. Under the rules, money must be banked within three days. The pur-

pose of this regulation is to minimise the danger of a client's money being mislaid. The rules also state that cash must be invested on the eighth day, after the seven-day cooling-off period given to investors. The purpose of this rule is to ensure that transactions are being carried out in the same market conditions and at the same price as when the decision to invest was made.

At Britannia Fund Managers, however, cash from 1,500 customers was not being invested until, in some instances, the 12th day. This resulted in losses for 555 people as the market had moved, making the cost of units in the trusts more expensive.

Danny O'Neill, managing director of Britannia Fund Managers, said that he greatly regretted the breakdown in procedures. He attributed part of the delay to additional checks that had been introduced.

He added: "We were going back to the intermediaries to ask for more information on their clients. Over the period, there were more plan-holders advantaged than disadvantaged as the market had fallen, bringing down the cost of the units."

New Lloyd's offer expected today

By SARAH CUNNINGHAM

LOYD'S of London is expected today to announce a substantial increase in its settlement offer to embattled names. It is thought that Lloyd's might boost the settlement package by up to £1 billion to about £3.8 billion, finally securing the future of the troubled insurance market.

The names who should benefit from this higher offer and have their debts to Lloyd's cut will be those who have already paid their losses as required, and the hardest-hit names who have won legal

actions or who are still pursuing accountability through the courts.

The extra funds will be available partly because Lloyd's has managed to raise more money than it expected from various sources, and also because the Department of Trade and Industry has decided to lower the amount that names must pay into the newly established reinsurance company Equitas. The original DTI figure of £1.9 billion is understood to have been reduced to £1 billion. Names who pay into Equitas will be able to offload their liabilities relating to risks

insured before 1993. Many of those liabilities are related to asbestosis and pollution claims made in the US, and they are expected to remain a problem for many years.

Lloyd's said yesterday that it is to hold eight capacity auctions this year, from Monday to Thursday on alternate weeks from July 11 to October 17. The auctions are designed to give names a means of trading capacity, gaining access to a greater number of syndicates and allowing them to realise reasonable value for their syndicate participations.

ScotPower looks over border for expansion

By CHRISTINE BUCKLEY

SCOTTISHPOWER, the generator and electricity supplier which last year bought Manweb, the northwest regional supplier, is targeting England and Wales for further expansion in generation and power sales.

The company will firm plans for a new gas-fired power station in Leicestershire in the next few months and is gearing up for further exports south of the border.

Ian Robinson, chief executive, said the company would look to expand further in the UK once the future of gas prices was more determinable. He added: "We will need to see how the regulatory structures will be."

Last year, ScottishPower increased its sales to England and Wales 40 per cent, boosted by several emergency calls from the National Grid.

But lower pool prices meant profits from this business fell 22 per cent to £30.1 million in the year to March 31. ScottishPower also took hits on its second-tier business—supplying to customers outside its franchise area—with electricity recording a loss of £4.4 million (£1.6 million loss), and gas a loss of £5.5 million (£400,000 loss).

The integration of Manweb has contributed more than £80 million to profits. Since its acquisition, ScottishPower has cut the workforce to 3,060 from 3,350 and aims to reduce it to 2,800 by next March. The final dividend, payable October 1, was lifted to 10.33p, making a total of 15.5p and an increase of 13 per cent over the previous year.

Times, page 24

EXHILARATION
CLASSIC FM 100-102

Prism wins 'misery line' with vow of new trains and safer stations

By JONATHAN PRYNN
TRANSPORT CORRESPONDENT

BRITAIN'S most hated railway, the London, Tilbury and Southend (LTS) 'misery line', passed into private hands yesterday with its new owners promising passengers new trains and more secure stations.

The £54 million a year passenger franchise, the seventh sold under privatisation, was awarded to Prism Rail, a consortium of bus managers backed by City institutions.

The company plans to float on the Alternative Investment Market, becoming the first quoted company wholly devoted to running mainline railway services since nationalisation in 1948.

The franchise bid is financed by the 11 bus managers who founded Prism two years ago and a placing of shares with 22 City institutions. There are no venture capital backers.

The managers used to work for the formerly state-owned

National Bus Company, but left to run local bus companies when they were privatised between 1986 and 1988. Prism was set up specifically to run rail franchises and plans to bid for other routes.

The company's first success, the LTS commuter line, became a symbol of underinvestment in the railways in the 1980s and early 1990s and has been plagued by overcrowding, breakdowns and vandalism.

Godfrey Burley, chairman, said that Prism would begin next year to phase out the line's unreliable 'slam-door' trains, some of which date from the early 1960s. They will be replaced on all but some peak services by 17-year-old sliding door rolling stock, initially, and by a fleet of new trains by November 1999.

The winning bid for the 15-year franchise also included plans for more Sunday and off-peak services and £14 million spending on improving stations, including construction of a new one at West Ham, in east London, and provision of easier access for the disabled and better security.

Mr Burley said: "We quite naturally want to stop people calling it the misery line."

Prism will take over the line from British Rail at the end of May, almost four months after the Government's first attempt to sell the franchise was abandoned at the last minute; the management

team that won the first auction of the franchise had to pull out amid allegations of ticket fraud, still being investigated.

Prism will receive £29.5 million of government subsidy in the first year of the franchise, falling to £11.2 million in 2011. British Rail receives a £34.6 million subsidy for the service.

British Rail's Freightliner container business has been sold in a management buyout, virtually completing privatisation of BR freight operations.

Prowling profits fall 38%

The volatile housing market caused a 38 per cent fall in profits at Prowling, the building company, to £6 million before tax in the year to February. Turnover was lifted 11 per cent to £108 million, but the low margins saw operating profits fall by 10 per cent to £16.6 million. The total dividend is held at 3.8p, with a 1.9p final.

A brief trading recovery in early autumn disappeared over winter, putting pressure on its house prices. Terry Roydon, chief executive, said that visits to sites had picked up significantly since March and that orders for April and May were up 30 per cent on last year.

Lynx leaps

Lynx Holdings, the computer software and services company, increased pre-tax profits to £2.07 million (£1.41 million) in the six months to March 31, lifted by the £26.2 million acquisition of Viste Group in November. The interim dividend is lifted 13 per cent to 0.45p a share.

Hussey post

Marmaduke Hussey, the former chairman of the BBC, is to become a non-executive director of MAID, the online supplier of business information services.



Bed sitters: Bill Simpson, left, Silentnight chief executive, and Barry McKenzie, group finance director

Silentnight maintains its profit posture

PRE-TAX profits at Silentnight Holdings, Europe's largest bedmaker, were unchanged at £11.1 million in the year to February 3, in spite of a rise in turnover to £190 million from £177 million.

Profits included £900,000 from the sale of the company's subsidiary in Kenya. UK bed sales, which accounts for 80 per cent of turnover, grew by 3.6 per cent to £153 million. An acquisition in Canada boosted North American sales by 37 per cent to £18.1 million, making 10 per cent of the overall turnover.

The company said that UK bed sales were up 14 per cent in the three months to April, and that its margins were recovering. The dividend was held at 8p a share, with an unchanged final of 5.25p, payable from earnings of 16.78p (15.55p).

City diary, page 25

Lang 'lacking strategy on utilities'

By CHRISTINE BUCKLEY

LABOUR yesterday rounded on Ian Lang, President of the Board of Trade, as he attempted to outline a policy for the privatised utilities in a speech that flew in the face of previous government lines on competition.

John Battle, the party's energy spokesman, said: "We are still waiting for a strategy from Mr Lang. At the mo-

ment, we have vertical, horizontal and diagonal integration and we have seen nothing that indicates a coherent plan."

Mr Lang used a speech to the Adam Smith Institute to underline the importance of competition on the Government's agenda. However, he emphasised that he would intervene in free-market decisions until adequate competition had been achieved. He

was reluctant to elaborate on how adequate competition would be determined. After the speech he said that he would know satisfactory competition "when I see it".

It had been hoped that his speech would give an indication of the thinking of the Government after the surprise vetoes on the power generators' bids for regional electricity companies and its confirmation that it would retain gold-

en shares in the generators. Mr Lang said competition would drive development in the privatised utilities, but that they remained in transitory state and some government intervention was necessary.

But he admitted: "The Government has no blueprint for the industrial structure of the utility sectors."

Mr Lang also clashed with the policy of his predecessor, Michael Heseltine, when he

said it was not the place of competition policy to "engineer the creation of so-called national champions". He said such protection had led to third-rate companies such as the pre-privatisation British Coal and British Steel.

Mr Lang told the institute that the role of the regulators would be to ensure that competition would be developed. But again he qualified this by emphasising their central position currently.

C&W close to choosing new chief

By ERIC REGULY

CABLE and Wireless, the telecommunications company that broke off merger talks with BT last week, expects to appoint a chief executive before the release of its financial results on May 23.

The executive, an American who has not been named, could confirm acceptance next week. C&W is anxious to get the new man in place to restore management stability and develop its strategy as an independent telecoms player.

Last November the C&W board ousted Lord Young of Graffham, the chairman, and James Ross, the chief executive. Shortly afterwards, it entered merger negotiations with BT, and was forced to put the appointment of a new chief executive on hold.

At the time it was thought that Sir Peter Bonfield, chief executive of BT, would become chief executive of the enlarged group if the merger went ahead.

The new C&W chief executive is said to have broad experience in the American phone industry. Rod Olsen, the finance director and acting chief executive, may take on the title of deputy chief executive but would not comment.

FirstBus in lead with SBH deal

By PHILIP PANGALOS

CONSOLIDATION in the bus industry sped up yesterday as FirstBus, the public transport group formed last summer by the merger of Badgerline and CRT, moved to buy SBH Holdings in a recommended deal worth £110 million.

Some 3,000 SBH bus drivers will see a £300 investment made two years ago turned into an average of £34,000.

The takeover of SBH, which has 3,500 employees and runs 1,250 buses in greater Glasgow, involves £96 million and a special dividend of about £14 million.

FirstBus, the UK's second-biggest bus operator, will become the biggest by this deal, and will raise £90 million via a two-for-seven rights issue, at 140p a share, to fund it.

SBH made profits of £11.3 million in the year to March 31, on turnover of £91.9 million, and had assets of £28.9 million.

FirstBus will pay Stagecoach, its larger rival, £23.9 million for its 21.7 per cent stake in SBH. Stagecoach will realise a profit of about £15 million.

Tempus, page 24

BUSINESS ROUNDUP

Foreign purchases of US firms double

FOREIGN purchases of American companies almost doubled to \$26.6 billion in the first quarter, led by Canadian and Japanese buyers seeking to expand in the retail and consumer products markets, according to KPMG Peat Marwick LLP. British purchases dropped by \$1.6 billion but still ranked third at \$4.3 billion. The Netherlands followed with \$4.2 billion, well over the \$156 million in the 1995 first quarter. German firms more than tripled their spending over the year to \$1.5 billion. However, US companies spent only \$8.4 billion on acquiring foreign companies, up 6 per cent.

Canadian firms were the most active buyers of US firms, spending almost \$10 billion in 65 announced deals. Japanese firms were a distant second but more than doubled their spending to almost \$4.6 billion. The largest Japanese purchase was Sumitomo Bank's acquisition of Daiwa Bank's US operations.

New offer from ICA

INDEPENDENT Car Auctions, which launched an agreed bid for Central Motor Auctions last week, has produced an alternative offer. Under the existing offer, ICA needs 75 per cent of shareholders' votes to gain 100 per cent of CMA's shares. ADT has lifted its stake from 9.9 per cent to 18.5 per cent, just 6.5 per cent short of a veto. If ICA's first plan is rejected, it will issue a cash offer of 87p per CMA share that would need only 50 per cent of the vote. ICA's original bid has been lifted from 87p to 90p.

BAT subsidiary to sell

SOUZA CRUZ, the Brazilian subsidiary of BAT Industries, the British tobacco and financial services group, has agreed to sell a 28 per cent interest in Aracruz Celulose for \$250 million to a subsidiary of Anglo American of South Africa. The disposal will result in a BAT profit before tax and minority interest of about \$50 million. Aracruz, with headquarters in Rio de Janeiro, is the world's largest producer of bleached hardwood kraft market pulp.

Avesta's 75% increase

AVESTA SHEFFIELD, the Anglo-Swedish steel group, achieved a 75 per cent increase in pre-tax profits to 4.75 billion kronor (about £460 million) for the 15 months to March 31. However, the group, owned by British Steel, said the fifth quarter profit of SKr452 million is "significantly lower" than quarterly results in 1995 due to sharp falls in demand and prices as a result of destocking. Order intake increased in the first quarter of 1996 but demand and prices remained unstable.

Maiden takes off

SHARES in Maiden Group, the outdoor advertising company, ended their first day of trading at 271p yesterday. They reached a high of 274p, a 24.5 per cent premium to the flotation price of 220p, which valued the company at £86.5 million. Maiden placed more than 9.6 million shares with financial institutions in a full listing on the Stock Exchange. The float will raise around £20 million, which will be used largely to reduce borrowings that financed a buyout in 1995.

Warner Howard hit

A LULL in demand hit sales at Warner Howard, whose core business is the selling and rental of laundry equipment and hand-dryers. Pre-tax profits for the year to February 28 nudged up 1.7 per cent to £7.16 million. They included a £780,000 contribution from Orwak Linley, the bailer and waste-compact firm bought last May for £4.5 million. Warner said sales should recover next year. Earnings were 20.76p (20.97p): a final dividend of 5.85p made a total of 9p (8p).

Watchdog boost for Rec

STEPHEN LITTLECHILD, the electricity regulator, yesterday reaffirmed that Eastern, the regional electricity company, is likely to be allowed to buy power stations from National Power. Starting a consultation on the plan sales, which the regulator forced to encourage generation competition. Professor Littlechild repeated previous indications that the company's own-generation limits could be lifted.

Fine debut by Vanguard

SHARES in Vanguard Medica made their debut on the London Stock Exchange yesterday and closed at 628p, up almost 40 per cent from their issue price of 450p, on volume of six million shares. Vanguard, a drugs development company started by six industry veterans, including Sir John Vane, the Nobel prizewinner, raised £4.5 million through the placement of the 11 million new shares - about 44 per cent of the enlarged company's share capital. Stock market, page 24

Wyndeham purchase

WYNDEHAM Press Group, the printing services company, is to buy ET Heron, the magazine and brochure printers, for up to £12.3 million in cash and shares. It is funding the purchase by raising £6.07 million through a placing and open offer, sponsored by NatWest Wood Mackenzie, which offers one new share at 190p for every nine held. Existing shares rose 10p to 212p. Wyndeham has forecast profits of not less than £4.9 million before tax for the year ended March 31, 1996.

Anglo Irish 34% ahead

ANGLO Irish Bankcorp, the Dublin-based bank, reported a 34 per cent increase in profits to Ir£3.6 million for the six months to 31 March. Earnings per share were Ir£3.44p, compared to Ir£2.63p. The interim dividend rises 10 per cent to Ir£1.50p per share. During the six-month period, Anglo Irish Bankcorp acquired a £69 million loan portfolio from Allied Dunbar and purchased Ansbacher Banks, one of Ireland's leading private banks, with assets above Ir£185 million.

Intrepreneur reduces estate by one third

Sale of pubs raises £262m

By ALASDAIR MURRAY

INTREPRENEUR, the pub operator, is to sell 1,410 pubs, a third of its estate, for £262 million to Spring Inns, a newly created company.

Intrepreneur, a joint venture between Grand Metropolitan and the Australian group Foster's, will concentrate on developing its core public houses. The proceeds of the sale will be used to reduce existing debt and to fund development in the remaining estate.

Spring Inns is 98 per cent owned by Royal Exchange Trust Company, a trust owned by Guardian Royal

Exchange. But Grand Met and Foster's will retain beneficial control while a consortium of banks headed by National Westminster will provide the financing.

Spring Inns said it would attempt to dispose of the pubs, and was looking ideally for a single purchaser. If no overall buyer emerged it would consider offers from individual retailers. All existing agreements with tenants will be maintained, along with the supply arrangement with Courage, valid until 1998.

The deal, which was made at book value, effectively di-

dis Intrepreneur's balance sheet, allowing the company to invest in its remaining outlets. Intrepreneur was formed from the merger of the pub estates of GrandMet and Foster's in 1991. The number of pubs under its control has been steadily reduced - from a peak of 8,400 to 2,900 after the latest sale.

Michael Foster, its chief executive, said yesterday: "We have concentrated our efforts to free resource, both financial and managerial, to provide further improvements in the services and support we offer to our retailers."

TOURIST RATES

	Bank Sale	Bank Sale
Australia S	2.00	1.84
Austria Sch	17.23	15.73
Belgium S	90.42	86.12
Canada S	2.184	2.028
Cyprus CypL	0.757	0.702
Denmark Kr	6.52	6.25
Finland Mk	7.77	7.12
France Fr	8.52	7.57
Germany Dm	2.46	2.25
Greece Dr	385.00	360.00
Hong Kong S	12.42	11.42
Ireland Pt	1.02	0.94
Israel Shk	6.2800	4.8000
Italy Lit	2481.00	2280.00
Japan Yen	174.00	158.00
Korea W	0.601	0.546
Netherlands Gld	2.751	2.501
New Zealand S	2.36	2.14
Norway Kr	10.52	9.72
Portugal Esc	248.50	230.00
S Africa Rd	129.00	118.00
Spain Pta	169.00	160.00
Sweden Kr	11.00	10.20
Switzerland Sfr	0.91	0.83
Turkey Lira	1205.20	1180.00
USA \$	1.619	1.489

Rates for small denomination bank notes only as supplied by Barclay's Bank PLC
Different rates apply to travellers cheques. Rates as at close of trading

Rates for small denomination bank notes only as supplied by Barclay Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

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□ Policyholders with a winning hand □ Auld Lang's line on mergers □ Parking place for pubs

Back to the future in Norwich

MEMBERS of Norwich Union — according to how you read the situation — gather in that city this morning to close the door to carpet-baggers or nail shut a stable door after giving the horse seven months to walk free.

One of two things will happen to the Norwich over the next year and a bit. It can float on the stock market, or it can be taken over. This could be by a bigger or swifter rival or as part of a Sun Alliance-Royal-style defensive merger. Either way, members — its two million "with-profits" policyholders — will gain.

If the Norwich floats with an estimated value of £2 billion, they will receive shares that a back-of-the-envelope calculation values at somewhere in the £600 to £800 region. If it is taken over, they will suffer a loss of control that requires compensation from the bidder. This, on the basis of the usual premium for control, could push their average windfall into four figures.

The Norwich intimated in October that a flotation was a possibility, thereby making it — or a takeover — inevitable. Today's meeting will see the passing of an enabling motion to allow management at a later

date to close the membership. Some quirk of history dating back to the foundation of the Norwich Union Fire Society in 1797 — distracted by that year's Spithead naval mutiny, perhaps? — means that this authority was not included in the articles of association.

It is needed now. If the Norwich subsequently decides to float, the books must be closed to carpet-baggers, those who might take up policies in the expectation of a demutualisation windfall — on the assumption that they have not already done so.

If pressed on whether they have, the management at today's meeting will say that figures kept by the society do not suggest any sudden upturn in new policies. Carpet-bagging the Norwich is a rather trickier task than shovelling a few hundred quid across the counter at your local building society and waiting for your six numbers to come up, requiring as it does an insurance policy and the start of a long-term

relationship with the society.

Insiders say there is plenty of fat to come off the Norwich if it is floated or merged. The management layer is bloated far beyond the needs of its relatively shrunken sales force, which must leave a lot of paper-shufflers at head office. Meanwhile, market share has fallen — in the niche endowment mortgage business, for example, the Norwich is thought to have a 2 per cent share against 12 per cent at its peak. Someone has plenty of work to do.

Consistency is all we ask

IAN LANG set out his stall on competition policy yesterday. Well, not so much a stall, more of a hastily parked car boot, arranged with whatever he had to hand, and something that could be easily packed away again and driven off... in any direction.

After a couple of inconsistent

PENNINGTON



decisions on the power industry that defied all logic, we were all keen to know what strategy we were missing. Inconsistency number one was Mr Lang's veto of the generators' bids for regional electricity companies, because he felt electricity generation was not yet competitive enough and the two companies would wield too much power.

Mr Lang could, as this column has suggested, have sanctioned the deals with the condition that the generators disposed of more power stations to further competition. Instead, he said yesterday that he, and only he,

would know sufficient competition when it arrived.

He also said that market forces would drive progress for the privatised utilities. Presumably these are the same market forces that led the two generators to seek cost savings in those mergers that he blocked. Instead, the Government will intervene whenever necessary in the run-up to full competition in case it all goes wrong. In case competition kills competition. Worry not; again, Mr Lang will know when that happens.

The second inconsistency came when he decided to keep the golden shares in the generators because of competition considerations. Since when has a potential change of ownership impacted on competition? Only when that change of ownership was prompted by an American company that raised the political stakes by threatening a US presence of about a third in the UK electricity industry. That makes it different.

Different too when Tory dissidents such as John Redwood begin baying that the whole mess had got out of hand.

Intentrepreneurial wheeze with GRE

ALARM and confusion after misleading news reports that the Guardian Royal had decided to go into the pub business. Great opportunities for cross-selling — even the dodgiest car insurance policy looks good after the fifth pint — but hardly a core activity, one thinks.

Not so, not so. GRE is merely providing a trust company to facilitate a clever deal whereby the Intentrepreneur pub operator sends one in three of its estate, and presumably the worst third, into a parking orbit pending an eventual sale. The new company has its own finance, leaving Intentrepreneur in a position to invest more on sprucing up those pubs being retained.

Just who is going to want the ones for sale is less clear. Supply agreements with Courage are in place to March 1998, making them less attractive to brewers. The independent pub operators are not flavour of the month with the stock market, so finance might be a problem. Intentrepreneur is bowing to the inevitable by accepting the chain may have to be broken up.

But by focusing on the remaining business the deal should bring nearer that blessed day when Grand Metropolitan and Foster's Brewing, reluctant co-owners of Intentrepreneur, can finally walk away, probably by means of a stock market float in a couple of years.

Compass point

A STRONG response from the City to the latest catering deal for Compass Group. A surprising number of analysts rang up professing fascination over the relatively modest £6.5 million purchase of Payne & Gunter. Then the penny dropped. P&G are responsible, *inter alia*, for catering at Twickenham. The teenage scribbles were keen to know their chances of a more in-depth study one day.

Royal Dutch Shell notches up record income of £1.74bn

By SARAH CUNNINGHAM

ROYAL Dutch Shell, the Anglo-Dutch oil company, yesterday reported record net income in the first three months of this year of £1.74 billion, up 37 per cent on the same quarter of last year.

High natural gas sales, boosted by the cold winter, higher crude oil prices and lower operating costs combined to push the group's profits way above City forecasts of about £1.3 billion to £1.4 billion and inspired some analysts to increase their forecasts for the whole year to more than £5 billion.

Alan MacDonald, oil analyst at SBC Warburg, said: "These were extraordinarily high results and the main thing is that this company has higher volume growth than any of its peers, so it is not just because of favourable conditions."

The results boosted the

shares of the British half of the company, Shell Transport and Trading. They rose 35.5p to close at 887p.

Royal Dutch Shell said that its exploration and production earnings rose 53 per cent in the quarter to £915 million, with crude oil production up 2 per cent to 2.34 million barrels per day and natural gas sales up 16 per cent to 10.26 billion of cubic feet per day.

Refining and marketing earnings were up 56 per cent to £525 million, with oil product sales up 8 per cent to 6.142 million barrels per day.

The only black spot for the group was the performance of its chemicals units, but even there results were better than in the last quarter of last year. Chemicals earnings were down 54 per cent to £165 million.

Cash flow from operating activities was £2.5 billion,

compared with £1.8 billion in the same period last year. Capital expenditure and exploration expenses were £1.5 billion, similar to a year ago.

Crude oil prices strengthened in the first quarter, supported by good winter demand, lower than expected production in non-OPEC countries, and low crude oil stocks in the US.

Brent Blend, the benchmark North Sea oil, averaged \$18.60 a barrel in the quarter, about £1.50 above the first quarter of 1995.

The company said that it did not expect oil prices to necessarily remain so high or so stable as the United Nations might finally reach a food-for-oil agreement with Iraq that would allow the country to sell up to \$2 billion of crude over six months.

Tempus, page 24

Capital signals advance

STRONG revenue growth and improved margins helped Capital Radio to shake off the effects of increasing competition in the London area as Britain's largest commercial radio group posted a 23 per cent advance in first-half profits (Philip Pangalos writes).

Pre-tax profits at Capital, the core assets of which are London-based Capital FM and Capital Gold on AM, climbed to £15.6 million in the half year

to March 31, up from £12.7 million last time. The group saw a "strong performance" in revenue and audience at all its stations, with total turnover ahead 19 per cent to £38.1 million.

Ian Irvine, chairman, said: "Each of our stations continues to be market leader in its area."

The interim dividend is raised to 4p (3.25p) and is payable on July 1, from earnings ahead 23 per cent to 14.1p (11.5p) a share.

Willis Corroon static

WILLIS CORROON, the international insurance broker, claimed trading conditions had deteriorated as it reported a slight drop in pre-tax profits to £48.1 million (£48.5 million) for the three months to March 31 (Marianne Curphey writes).

Excluding the effects from the disposal of the group's interests in Heddington Brokers and Gryphon Holdings and foreign-exchange movements, profits rose on an underlying

basis by 4 per cent. With a reduced tax charge, earnings rose 5 per cent from £29.2 million to £30.6 million.

The group's brokerage and fee turnover of £198.5 million was 2 per cent higher than that for the corresponding three months in 1995. Total operating profit rose 4 per cent from £45 million to £46.7 million.

Earnings per share were 7.3p (7p); the dividend remains unchanged at 1.65p.

Vaux cheered by fans

By ALASDAIR MURRAY

SUNDERLAND Football Club's successful season helped Vaux, the brewery and hotels company based in the North East, to raise its half-year pre-tax profits by 14 per cent to £13.3 million.

Vaux, which will sponsor the club in the Premiership next season, said sales of premium lager rose 5 per cent as fans

toasted the club's promotion. The brewing division as a whole lifted operating profits 41 per cent to £1.3 million.

There was also a strong performance from its Swallow hotel chain which raised profits 17 per cent to £9 million. Room occupancies averaged 66 per cent, a rise of 3.1 percentage points, while

bookings are running 5 per cent ahead for the next quarter.

The managed house division also increased profits 14 per cent to £4.1 million, boosted by the transfer of 26 pubs from the tenanted division. But the tenanted pubs division suffered an 8 per cent decline in profits to £6.2 million, although the company said the downward trend appeared to be easing.

Profits in the nursing homes division, also fell by 19 per cent to £1.8 million. Vaux have appointed Hambros, the merchant bank, to find a buyer for the division. Sir Paul Nicholson, chairman, said that there had been considerable interest in the sale, although no formal offer had been received.

Overall turnover, for the 24 weeks to March 16, was up 8.7 per cent to £125 million. The interim dividend rises 3 per cent to 3.56p, due on May 29.

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The triumphant Sunderland team sponsored by Vaux

Young sales help profits at N Brown

A MOVE towards targeting younger customers has helped to boost annual profits at N Brown, the home shopping group (Clare Stewart writes).

Sales through its Fashion World, Candid and Classic Combination catalogues targeted at 30 to 40-year-old women, rose by 35 per cent last year, making up 15 per cent of total home shopping sales.

Operating profits across all the home shopping division rose by 19.4 per cent to £33.6 million. But N Brown's property and financial services division saw operating profits fall by 47 per cent to £253,000.

Gearing has dropped from 34 per cent to 23 per cent and the final dividend of 4.1p makes 5.7p for the year, an 18.8 per cent rise.

Jarvis books in for the market

By CLARE STEWART

JARVIS HOTELS, the eighth largest UK chain, is set to join the stock market this summer in a £280 million flotation.

Jarvis, headed by John Jarvis, former Hilton International chief, plans to float by way of a placing and intermediaries offer. Prospectus details are due out next month.

Mr Jarvis, chairman and chief executive, said: "The market capitalisation will be in the £250-£280 million range, which is underpinned by a property valuation of £323 million."

He added that the flotation would strengthen the balance sheet and enable the group to make further acquisitions in the UK.

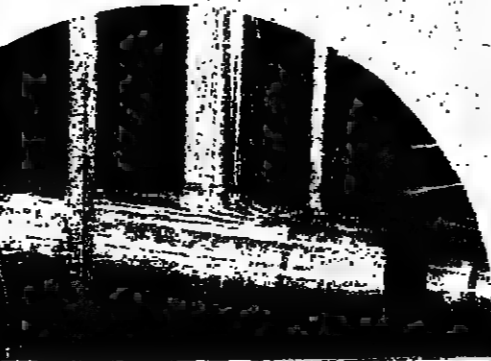
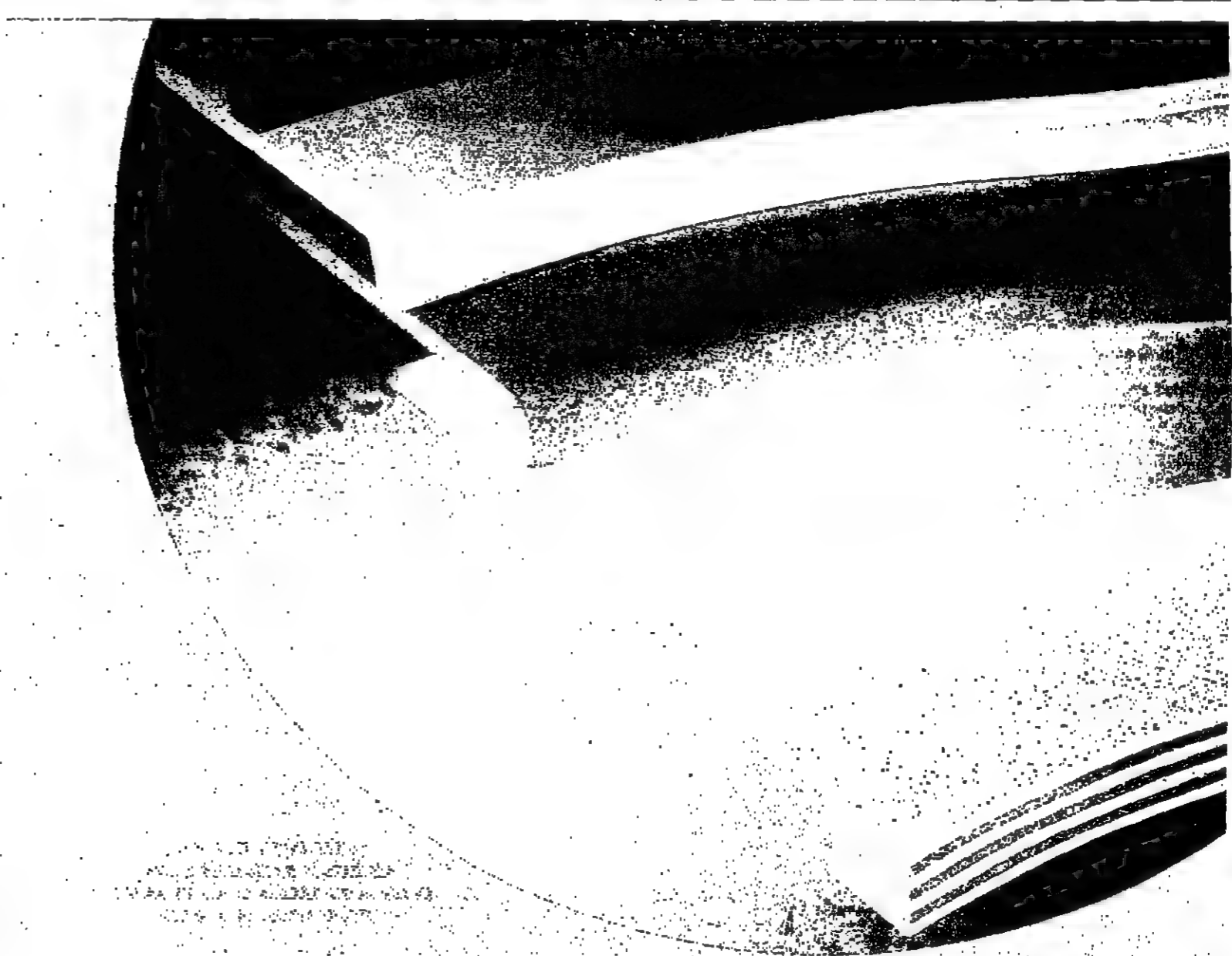
Just under 50 per cent of the equity is to be sold, with the group's 100 institutional and

venture capital shareholders selling on average about a third of their holdings.

Mr Jarvis, who founded the company with David Thomas, the deputy chief executive who was formerly head of Ladbroke Hotels, will have a stake post-flotation worth between £5 million and £6 million.

The group consists of 62 mid-market hotels in the UK focusing on short-break, business and conference customers and offering facilities such as Sebastian Coe Health Clubs. It has grown rapidly through acquisitions, including the purchase of 41 hotels from Allied Breweries.

Profits before tax for the year ending March 31, 1996, rose to £9.1 million, against £8.7 million last time.



Resolving the company's finances

With the company's move to the financial markets, the company's finances are being resolved.

The company's move to the financial markets is a key step in resolving its finances.

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Shares bounce back after turnaround in New York

SHARE prices on the London stock market moved into positive territory for the first time this week after being encouraged by Wall Street's 131-point turnaround overnight.

This, combined with a bumper set of first-quarter figures from Shell, the oil group, enabled the FT-SE 100 index to close 21.0 up at 3,728.3. Trading conditions remained thin. Less than 700 million shares changed hands by the close.

Despite the brighter performance, dealers are cautious about short-term prospects with the "sell in May and go away" adage ringing in their ears. Market-makers still have plenty of stock on their books and are reluctant to encourage the bears.

Shell ended the session 35.2p higher at 887p, equivalent to a seven-per cent rise in the index. After a poor end to last year, the group has bounced back with a surge in net profits from £1.28 billion to £1.62 billion, away above broken forecasts. Exploration and production profits were boosted by strong natural gas sales volumes and lower operating costs. The only black spot was chemical operations which fell 54 per cent to £165 million in a difficult market.

Lucas Industries slipped a further 4p to 223p after Wednesday's announcement from the company that the talks with Vario Corporation are unlikely to lead to a bid. But the takeover speculation continues to bubble with brokers taking the view that the talks with Vario may prompt a bid from Siemens of Germany or TI Group, Ip firm at 552p.

Telepac was floored by its second profits warning in the past couple of months. The shares tumbled 242p to 513p. The group told shareholders at the annual meeting that temporary problems would affect profits in the first half. The group said high-margin sales which would be expected to contribute £2 million had been delayed to the second half. In March the group saw its share price dented by news of late deliveries.

Full-year figures from Scottish Power included the benefits of Manweb, the regional electricity company it acquired last year. The group reported an 8 per cent rise in pre-tax profits to £405 million and confirmed plans for an increasingly liberal dividend



Ian Robinson and Murray Stuart saw Scottish Power rise

policy. Murray Stuart, chairman, said the group had completed the major part of restructuring the business resulting in the generation of greater value from Manweb than originally expected. The shares responded with a rise of 7p to 374p.

A 23 per cent increase in half-year pre-tax profits at Capital Radio, the indepen-

dent broadcaster, was rewarded with a rise of 9p to 673p. The result was achieved on the back of strong growth in advertising revenue. Brokers are looking for up to £33 million for the full year.

FirstBus, the independent bus operator, was unchanged at 168p after announcing plans to buy SBH, the Glasgow bus operator for £110 million. The deal will make FirstBus one of

the biggest operators in the sector. A profits warning left Henderson-Stuart, the plant hire group, nursing a fall of 6p to 154p. Trading during the first two months of the year had been disappointing and was below budget. The group blamed the situation on severe weather which had delayed many projects and said it was

braced for further pressure on rates and margins. Wyndeham Press, the fast-growing printer, headed by Bryan Bedson, former chairman of Brighton Football Club, is planning to raise £6.07 million by way of a placing of 3.33 million new shares at 190p. The proceeds will be used to acquire Heron, a web-offset printer of long-run magazines and brochures, whose

shares include Haymarket Publishing. Last year Heron made pre-tax profits of £1.8 million. The market showed what it thought of the deal by marking the shares 10p higher at 212p.

Maiden headed a list of three stock market companies making their debuts. The outdoor advertising poster group opened at 274p, compared with the 220p the shares were originally placed at. That was to be the best of the day and the price eventually closed at 271p, a premium of 51p.

First-time trading in Vanguard Medical, the biopharmaceutical supplier, got off to a flying start. Placed at 450p a share, the price started life at 625p and touched 633p before ending the session at 628p, a premium of 178p, as almost 6 million shares changed hands. At these levels, the group is valued at £15 million.

CA Couros, the packaging group, also enjoyed a premium in first-time trading on the Alternative Investment Market. Placed at 105p by Bessons Gregory, the broker, the price opened at 123p and touched a high for the day of 124p before settling at 123p, a premium of 18p.

Disappointing trading news left Willis Corroon, the insurance broker, 3p easier at 147p. As a result, brokers are likely to begin downgrading rival Sedgwick, 2p firmer at 149p.

GI-EDGED: London managed to extend Wednesday's gains supported by a positive performance overnight from US Treasury Bonds. The market lost some of its momentum after publication of stronger-than-expected industrial production numbers and a hesitant start to trading by German bunds. But the selling pressure short-lived with prices closing near their best of the day.

In the futures pit, the June series of the long gilt rose 9.2p to £105.72 as the total number of contracts completed reached 50,000.

In long, Treasury 8 per cent 2015 finished 4.5p better at 696.13, while at the shorter end Treasury 8 per cent 2000 was three ticks firmer at £101.21.

NEW YORK: US stocks retained a firm tone with Wednesday's rally seen as an encouraging sign. At midday, the Dow Jones industrial average was up 19.15 points to 5,493.21.

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MAJOR INDICES

New York (midday):	
Dow Jones	5493.21 (+19.15)
S&P Composite	646.00 (+1.22)
Tokyo:	
Nikkei Average	21411.88 (+316.72)
Hong Kong:	
Hang Seng	10873.00 (+44.38)
Amsterdam:	
AEX Index	555.65 (+4.09)
Sydney:	
ASX	2280.30 (+18.33)
Frankfurt:	
DAX	2469.38 (+3.26)
Singapore:	
Straits	2374.60 (+2.77)
Brussels:	
Cac 40	9051.00 (+22.86)
Paris:	
Cac 40	2085.41 (+1.67)
Zurich:	
SIX	773.30 (+0.10)

London:	
FT 100	3728.3 (+21.0)
FT 100 Mid 250	3728.3 (+21.0)
FT 100 All Share	1892.2 (+8.4)
FT 100 Eurotrack 100	1892.2 (+8.4)
FT 100 All Share	1892.2 (+8.4)
FT Non Financials	2003.71 (+4.09)
FT Financials	1121.3 (+0.63)
FT Govt Sec	92.04 (+0.19)
Bargain	1175
SEAQ Volume	718.00
US (Dow Jones)	21411.88 (+316.72)
US (S&P)	646.00 (+1.22)
German Mark	2.3108 (+0.0088)
Exchange Index	84.4 (+0.3)
Bank of England official base rate	10.25
ESR	10435
RPI	151.5 Mar (2.7%) Jan 1987=100
RPI	150.9 Mar (2.9%) Jan 1987=100

RECENT ISSUES

AIM Distribution	94	...
Active Imaging	121	+
Bicomparables Uts	170	+ 40
CA Couros (105)	118	...
Caingorm Unit	925	...
Caingorm Unit Vts	238	+ 13
Cap for Co's VCT (100)	39	...
FINR	175	...
La Senza (150)	158	+ 2
MSR International	240	...
Maiden Group	271	...
Millm & Cop (278)	321	+ 3
Perp Inc & Gts Wrs	19	...
Phytopharm (175)	178	...
Butler	48	...
Singer & Fred AIM Wts	11	...
Singer & Fred AIM	98	...
Sira Bus Svs Wts	14	...
Sira Business Svs	4	...
Stemor	91	- 2
Templeton C&E Euro	26	...
Tom Hoskins	185	...
Tradeprint Fint	185	...
Vanguard Media	628	...
Waterfall (45)	52	...

RIGHTS ISSUES

Benson Group n/p (40)	4
Cap Reg 675% ULS n/p 14	14
Int Control n/p (90)	34
Knor D'Arcy n/p	4
On Demand n/p (180)	2
Queensberry n/p (28)	2
Tottenham Hot n/p	90

MAJOR CHANGES

RISES:	
Caritors	1560 (+170)
Upland	770 (+120)
Sentry Farm	2880 (+200)
CRT Group	1580 (+100)
Reutera	7840 (+170)
Siebs	8500 (+170)
BOC	9080 (+180)
AIM	3000 (+150)
MAT Group	1810 (+100)
General Accident	6510 (+210)
FALLS:	
Forminor	580 (-370)
Memory Comp	1330 (-370)

Closing Prices Page 26

TEMPUS

Escape over the Border

SCOTTISHPOWER has a charmed position. As a vertically integrated company, it escaped the strict demarcation of the break-up excited on the English and Welsh electricity business. ScottishPower was also able to buy a regional company, Manweb.

While the English have similar moves blocked, ScottishPower hones its plans to expand its generating capacity south of the border, which is currently modest, and prepares to export further supply on the interconnector between Scotland and England and on the planned link to Ireland.

It hardly seems equitable. But such is the state of the electricity industry, ScottishPower has significant expansion plans, both in UK-based generation and in overseas activities. And it is clear from some areas of its business that growth by expansion is by far its best

option. But underneath the top-line figures and dividend promises, ScottishPower is showing the cuts and bruises of sharp competition.

In generation, ScottishPower saw its operating profit slip £5.3 million, and in wholesale — selling its electricity to the pool for England and Wales — it slumped 22 per cent to £20.1 million on the back of lower pool prices.

In second-tier supply (serving customers competitively outside the franchise area) the company made a loss of £4.4 million in gas, both worse figures than last year. The competitive arena comprises only industrial users at present, but this will expand in 1998 to domestic consumers. The already tight margins will become tighter and open to more virulent rivalry.

BP must be feeling extremely irritated. It announced record quarterly results last week and its shares fell, whereas Shell Transport and Trading's record first-quarter earnings yesterday — no better than BP's — pushed the shares up 35.5p to 887p.

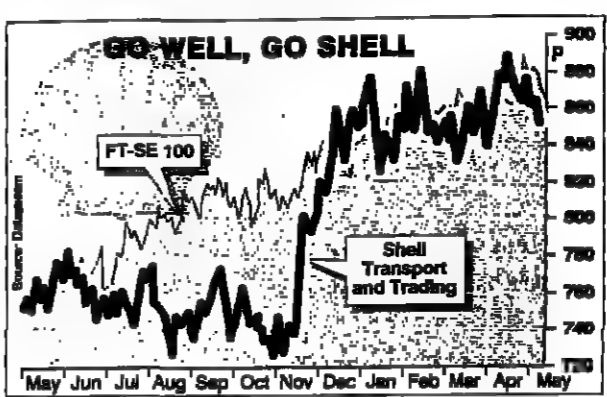
Both BP and Shell produced excellent figures, and did considerably better than Mobil and Exxon, their American cousins. The simple explanation is that investors have come to expect great things from BP, Shell, on the other hand, with a return on capital of under 10.9 per cent this time last year — now risen to 11.3 per cent — compared with an industry average of 12-14 per cent, had lost respect.

That looks set to change: some analysts have increased their forecasts for the

whole of the year for Shell by 5 per cent or so to more than £5 billion and are looking at an upside to share prices of as high as 950p.

Shell has certain advantages over its rivals. Compared with other companies, it has a huge cushion of capital which has allowed it to take a long view and invest through the bad times.

The next quarter's figures should tell us whether growth is sustainable but investors will have to wait until September to know whether there is good news on dividends.



FirstBus

THOUSANDS of Glasgow bus drivers will have every reason to be happy this morning after the £10 million recommended offer from FirstBus for SB Holdings, which operates 1,250 buses in greater Glasgow. Some 3,000 SBH bus drivers will see an investment of £300 made two years ago turn into an average of £4,000.

FirstBus's latest deal comes hot on the heels of last month's £52 million acquisition of bus operations in Manchester and Portsmouth. It makes FirstBus the UK's biggest bus operator with a 21 per cent market share, compared with Stagecoach's 17 per cent.

FirstBus has certainly paid a full price for SBH, though it claims the deal will be earnings enhancing. However, Labour Party policy on buses is not yet clear and there is always the possibility that any future Labour government may appoint a regula-

tor to the industry or enforce a price structure.

Analysts predict full-year pre-tax profits of about £25 million after exceptional, giving earnings of 8p a share. This puts FirstBus shares, which have had a strong run recently, on a price earnings multiple of about 21 times. This is a premium to the rest of the stock market but it remains on a par with competitors. However, the ride may become more bumpy in the longer term.

BID rumours have swirled around Vaux, the brewing and hotel company, as long as anyone can remember. Vaux has looked vulnerable as a regional brewer trapped in a market carved up by the four big players and as a small hotel operator in a sector that is currently one of the City's favourites.

Weak results from its brewing operations, tenanted pubs and nursing homes di-

vision over the past year have only raised speculation about the company's fate. But yesterday's half-year results suggest Vaux may be doing enough to retain its independence for the time being.

The re-organisation of the brewing division began to bear fruit as the company pushed profits back above £1 million. The mix between the highly profitable managed inns and struggling tenanted pubs is also improving. In a refreshingly honest appraisal of the underperforming nursing homes division, Vaux admitted it had bought the division expecting to run the homes like hotels. The division is now on the market with Vaux making optimistic noises about the sale.

The recent bid speculation has placed the shares on a full-year rating of 16 times earnings. The company is beginning to look a little too expensive for predators, but it will have to continue to work hard to justify its new-found value.

COMMODITIES

LONDON COMMODITY EXCHANGE				ICES-ROD (London 6.00pm)				GNI LONDON GRAIN FUTURES			
				CRUDE OIL (\$/barrel FOB)				WHEAT		BARLEY	
COCOA								(cane 1/2)		(cane 1/2)	
May	1070-1080	Jun	1043-1050	Brent 15 day (Jun)	19.35	-0.65	May	129.50	May	117.15	
Jun	1100-1105	Jul	1060	Brent 15 day (Jul)	18.80	-0.55	Jun	128.50	Jun	116.25	
Jul	1110-1115	Aug	1070	Brent 15 day (Aug)	18.80	-0.75	Jul	127.50	Jul	114.25	
Sep	1110-1115	Oct	1070	WTexas Intermediate (Jun)	20.65	-0.40	Sep	117.50	Sep	112.25	
Oct	1110-1115	Nov	1070	WTexas Intermediate (Jul)	20.40	-0.40	Oct	116.50	Oct	111.25	
Nov	1110-1115	Dec	1070	WTexas Intermediate (Aug)	19.30	-0.30	Nov	115.50	Nov	110.50	
Dec	1110-1115	Jan	1070				Dec	115.50	Dec	110.50	
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Feb	1110-1115	Mar	1070				Feb	115.50	Feb	110.50	
Mar	1110-1115	Apr	1070				Mar	115.50	Mar	110.50	
Apr	1110-1115	May	1070				Apr	115.50	Apr	110.50	
May	1110-1115	Jun	1070				May	115.50	May	110.50	
Jun	1110-1115	Jul	1070				Jun	115.50	Jun	110.50	
Jul	1110-1115	Aug	1070				Jul	115.50	Jul	110.50	
Aug	1110-1115	Sep	1070				Aug	115.50	Aug	110.50	
Sep	1110-1115	Oct	1070				Sep	115.50	Sep	110.50	
Oct	1110-1115	Nov	1070				Oct	115.50	Oct	110.50	
Nov	1110-1115	Dec	1070				Nov	115.50	Nov	110.50	
Dec	1110-1115	Jan	1070				Dec	115.50	Dec	110.50	
Jan	1110-1115	Feb	1070				Jan	115.50	Jan	110.50	
Feb	1110-1115	Mar	1070				Feb	115.50	Feb	110.50	
Mar	1110-1115	Apr	1070				Mar	115.50	Mar	110.50	
Apr	1110-1115	May	1070				Apr	115.50	Apr	110.50	
May	1110-1115	Jun	1070				May	115.50	May	110.50	
Jun	1110-1115	Jul	1070				Jun	115.50	Jun	110.50	
Jul	1110-1115	Aug	1070				Jul	115.50	Jul	110.50	
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Oct	1110-1115	Nov	1070				Oct	115.50	Oct	110.50	
Nov	1110-1115	Dec	1070				Nov	115.50	Nov	110.50	
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Jul	1110-1115	Aug	1070				Jul	115.50	Jul	110.50	
Aug	1110-1115	Sep	1070				Aug	115.50	Aug	110.50	
Sep	1110-1115	Oct	1070				Sep	115.50	Sep	110.50	
Oct	1110-1115	Nov	1070				Oct	115.50	Oct	110.50	
Nov	1110-1115	Dec	1070				Nov	115.50	Nov	110.50	
Dec	1110-1115	Jan	1070				Dec	115.50	Dec	110.50	
Jan	1110-1115	Feb	1070				Jan	115.50	Jan	110.50	
Feb	1110-1115	Mar	1070				Feb	115.50	Feb	110.50	
Mar	1110-1115	Apr	1070				Mar	115.50	Mar	110.50	
Apr	1110-1115	May	1070								

THE TIMES
CITY DIARY

Inquiry to quiz reaper

NORTH Yorkshire farmer Robert Goodwill, chosen to defend David Aschby's North-West Leicestershire seat at the next election, is planning to open Britain's first private cemetery on his 260-acre Southwood Farm. Planning refusal from Ryedale District Council has forced the father of three to defend his decision to fill his land at a public inquiry next December. If Goodwill becomes the MP, however, he hopes to turn the area of outstanding natural beauty into "the ultimate set-aside".

Hops of wrath

SOUTH East Water faced the wrath of management and guests at The Duke of York pub in the Pantiles area of Tunbridge Wells yesterday. When water supplies to the pub were cut off, manager Stuart Nasser was furious that the company was unable to help. Desperate for water in an area famed for its revitalising spas, a call to neighbouring Mid Kent, subject of a proposed joint bid by French-owned South East Water, came briskly to the rescue with a bowser.

Image in flames

BRITISH GAS'S rating in the annual analysis of press coverage fell further than any other company's in the past year. British Rail, Baring's, Eurotunnel and Yorkshire Water were also at the bottom of the pile, while Marks and Spencer attracted more favourable coverage than any other UK company. NatWest, which took last year's wooden spoon, saw the greatest improvement in coverage over the previous year's rating.



"It was such a lovely winter"

Coining phrases

BORIS YELTSIN'S economic adviser is taking time out in the run-up to Russia's presidential election in June to speak at a London conference next week hosted by the Chartered Institute of Bankers and the Association of Russian Banks. Sergei Yegorov, who doubles as ARB president, is one of three speakers at the event, which follows Russia's threat to expel British diplomats.

Pillow talk

NOT surprisingly, Silentnight, the UK's largest maker of beds, backs the Sleep Council's verdict that the British don't change their beds as often as is hygienic. Our health-conscious sleeping partners in the US change their beds once every ten years on average, compared with every 16 years in the UK, according to Silentnight finance director, Barry McKenzie.

Royal family

IT IS more than a family tree that links Daniel Meinertzhagen, chairman of Royal Insurance from 1974 to 1985, with his son Peter. Five years after his father's death, Peter was the leading broker for ABN Amro Hoare Govett acting for Royal Insurance in its merger with Sun Alliance. "I'm sure he would have approved," says Meinertzhagen Junior, whose uncle was a senior partner at Cazenove.

MORAG PRESTON



Hong Kong's handover to China is looming, and, as business strives to please Peking, there are worries about the future of unfettered capitalism

Hong Kong old guard gives way to 1997 welcoming party

Tom Walker on how a colony devoted to business intends to carry on thriving under rule from China

Gordon Wu, founder and chief executive of Hopewell, the Hong Kong property company, has a favourite riposte to those who predict doom after the Chinese takeover of the British colony next year. "What will happen after 1997?" Mr Wu is often asked at cocktail parties and diplomatic receptions. "1998," the taiwan replies, with a grin.

While Hong Kong's tiny coterie of democratic politicians, spurred on by Chris Patten, make angry noises about the approaching apocalypse, most businessmen take the Wu approach — and theirs is the predominant voice, because business, after all, is the language of Hong Kong.

So what is this 29 square mile lump of rock and adjoining 404 square mile bite of the 3.7 million square mile Chinese motherland that Britain is relinquishing? It is the world's eighth-largest trading economy (with exports and imports valued at \$301 billion); the world's eleventh-largest services exporter (\$2 billion); the world's largest container port; a government among the world's richest, with \$57.17 billion in foreign reserves; the most popular tourist destination in Asia, with more than 9.3 million visitors last year; and six million people, with per-capita GDP of \$22,000.

Mr Wu's expanded answer to the 1997 question is obvious: can China, in all its poverty-ridden vastness, really want to destroy this jewel, this window on the outside world?

"There are over 1,000 British companies operating in Hong Kong, and not one of them is planning to leave after 1997 as far as I know," says Francis Cornish, British Trade Commissioner in the colony. "In investment terms, it's almost impossible to quantify the value of the place. And what you must remember is that Hong Kong is the gateway to China. There is no such thing as a British company that is here for Hong Kong. They are all here for China."

This is not to say that businessmen are not steeling themselves for Chinese takeover and the new "Special Administrative Region" of the People's Republic. "Prudent" and "pragmatic" are the buzzwords these days.

Take Li Ka-shing, Hong Kong's most successful busi-

nessman, among the world's richest men and one of the few Hong Kong Chinese to have conquered the British market, where his Hutchison Whampoa investment umbrella includes the Orange telephone network and Felixstowe docks. Has Mr Li joined the pro-democracy supporters chanting in the rain as they await the arrival of Lu Ping, Peking's henchman for the handovers of Hong Kong and neighbouring Macao? No, Mr Li is building a £100 million 20-storey block destined to be the new Chinese ministry of foreign affairs in Hong Kong. A small gift to the new rulers, says Mr Li, by way of reminding Peking whose side he is on. In the view of the new taipans, it is better to wave a chequebook at Communism than stand defiant before its tanks.

Even the great British "hongs", the trading houses whose rampant expansion in the Far East forced Lord Palmerston to win over the colony with gunboat diplomacy 154 years ago, have come round to this doffed-cap approach. When Swire Group last week allowed the Chinese National Aviation Corporation to take over its regional hub airline, Dragonair, while also giving the China International Trading and Investment Corporation (Citic) a healthy chunk of Cathay Pacific, it was a clear indication that British companies no longer go their own way in Hong Kong. In one fell stroke exchange coup, Britain's de facto dominance of the

Hong Kong skies ended for ever.

Swire Group has, for many years, believed in accommodation with the Chinese mainland, a strategy diametrically opposed by Jardine Matheson until lately. It was at Jardine's instigation that Hong Kong was wrenched from China in the first place (in retaliation for a local mandarin's cheek at trying to cut off the company's lucrative opium trade) and unfortunately Peking's apparatchiks have long memories when it comes to injury against the state. It was not surprising, then, that, in 1949, when the Communists seized Shanghai, they immediately nationalised Jardine's assets there.

Henry Keswick, Jardine's London-based chairman, has a long memory, too, having been born in Shanghai, and after the Tiananmen Square massacre he had no difficulty in telling a panel of MPs that Peking's was a "Marxist-Leninist, toughish, oppressive regime". The contrast between Keswick and Li Ka-shing could not be starker. Keswick is the face of the old Hong Kong, educated at Eton and Cambridge, and predestined to wealth and power. Li, on the other hand, was born to a poor family in Guangdong on the mainland, relying on his wits to rise from being a manufacturer of plastic flowers to holding pole position in the Hong Kong business world. It is this culture clash of

colonial arrogance versus Chinese business realpolitik that has been concluded in the 1990s, and the new pro-China men are at the helm.

Analysts in Hong Kong now privately ask whether British Telecom's courtship of Hong Kong Telecom, the Cable and Wireless subsidiary, was not quietly derailed by China, even though the official line was different. As Jardine has already found out to its cost, Chinese officials can block the awarding of lucrative contracts or stop a thriving business in China at will, and few now doubt that Hong Kong's once-level playing field has tilted towards Peking.

"China has the most important decision when it comes to this deal," said Kelli Mauricio, an analyst, referring to the failed BT-Cable & Wireless merger talks, adding that Chinese officials "have a sour taste in their mouth about Britain".

Another analyst pulled no punches, saying: "Optimally, you'd want a Chinese company owning Hong Kong Telecom."

As 1997 approaches, business, the driving dynamic behind Hong Kong, seems to have almost entirely divorced itself from the showshow of politics. Surveys back this up: in spite of enormous uncertainty in the political arena, where a host of basic human rights questions remain unanswered, businessmen continue to like Hong Kong.

The Political and Economic Risk Consultancy, a respected local barometer of the Asian business climate, recently said that Hong Kong is seen as posing less risks than anywhere apart from Singapore and Japan.

And last week, Mark Mobius, president of Templeton Emerging Markets Fund, declared Hong Kong the world's most attractive emerging market. "We expect money and people to flow from China into Hong Kong after 1997," he said.

The two plaudits add to a catalogue of business approval of Hong Kong's handover, culminating in the US-based Heritage Foundation's assertion that Hong Kong leads the

world in economic freedom. The foundation's 1996 index praises its minimal trade barriers, openness to foreign investment, absence of burdensome regulations and strong guarantees on property ownership.

The statistics can be trotted out: Hong Kong, home to more than 700 international companies; the world's third-largest banking centre, with more than 500 financial institutions from 43 countries, including 85 of the world's top 100 banks; the world's eighth-largest stock market and Asia's second-largest, with a capitalisation of more than \$267 billion; and the fourth-largest gold market in the world.

What worries diplomats as they see business bend over backwards to please China is that the basis for unfettered capitalism — honesty and transparency in the workplace — could slide under Chinese rule.

"If things go funny after 1997, it will be done on a freelance basis through the new government of the Special Administrative Region," says one British diplomat. "There is a great deal of ignorance on this point. The big men in Peking will look at everything that Hong Kong has and say 'We can get in there and behave just like we do in China'. And then it will come down to patronage and power — and that's the awful possibility for this place in ten years' time."



Culture clash: Li Ka-shing, left, and Henry Keswick

BUSINESS LETTERS

Residents wait 50 years for return of the subsidised bus

From Professor Philip Corrigan
Sir, Congratulations to Christopher Ayres, winner of the NatWest/The Times Business Ethics Essay (April 29). His suggestion for free/subsidised travel for "low-income families and pensioners" has a longer history than you, Sir, and he may realise.

In their valuable report *Housing Estates (1946)*, Rosamund Jevons and John Madge suggest the provision of free public transport for the

occupants of one particular area, Filwood Park, of the Knowle and Bedminster Council Housing Estate built from 1920 onwards.

Within the estates as a whole, in which 45 per cent of all children were living in houses below the poverty level, Filwood Park (called then and now by the residents, Knowle West) had a higher concentration of poverty and was lacking adequate shops. This remains true today, several attempts to establish

adequate local shopping having failed; and the area is one still marked by severe poverty and the above indicated social exclusion.

Perhaps you or Christopher Ayres could send a copy of his essay to Eric Forth, Minister of Employment, who so recently spurned some £20 million in European Union funds, part of which was to be addressed to such matters of social exclusion.

A copy might also be sent to the local manager of Asda, in Bedminster, who could, using the suggested scheme, make travel from the Inns Court and Knowle West estates that much easier for those "low-income families and pensioners" still resident there 50 years after Rosamund Jevons and John Madge first drew them to our attention.

Yours faithfully,
PHILIP CORRIGAN,
19 Sidmouth Gardens,
Bedminster,
Bristol.

Seeking sense in fuel price war

From Mr John Kimber
Sir, Motorists are enjoying the benefits of the current fuel price war, and the Government is cheered by competition in action, and depression of the retail price index. I wonder if the shareholders in our supermarket groups are equally enthusiastic?

Many supermarkets are now retailing unleaded fuel at 51p per litre, ie a real loss on product cost of 2.5p per litre. Given a typical supermarket throughput of 14 million litres per year this adds up to a loss of £350,000 per year per site. All without transport costs, overheads, and return on capital. Given the tenuous link between fuel sales and shop purchases, this seems a shaky investment for core business development. So what is going on?

Yours faithfully,
JOHN KIMBER
Watson Cottage, High Street
Waltham on the Wolds
Melton Mowbray, Leics.

Rand suffers as honeymoon is forgotten

Jon Ashworth charts the travails of the stricken South African currency

South Africans have always grumbled about the price of food, inflation, and the cost of buying a new car, but nothing inflames the national consciousness as much as the cost of a foreign holiday. Tourists planning trips to Europe or the Far East have watched in horror as the rand slumps further and further against the dollar and pound. Where it will lead, no one knows.

South Africa had been enjoying something of a honeymoon until February, when spurious rumours about President Mandela's health sent the rand sliding. The president received the all-clear, but the rumours persisted.

A more lasting blow followed when Chris Liebenberg, a non-partisan former banker, followed the example of his predecessor, Derek Kays, and resigned as finance director, handing control of the economy to Trevor Manuel, a member of the African National Congress. To die-hard Afrikaners im-

Bell, head of equities at Standard Bank in London, said inflation was now certain to rise from about 6 per cent, a 20-year low, to nearer 9 or 10 per cent in the coming months. Inflation hit a high of 21 per cent in the mid-1980s, but has declined since President Mandela's release from prison, and the onset of general elections.

The inflationary impact on South Africa is such that something that cost R1 in 1980 costs R7.50 today. Good rains have led to a reduction in food prices, but consumers can justifiably complain about the high cost of living. Unemployment remains high and the Government's much-vaunted Reconstruction and Development Plan (RDP) has yet to bear fruit. Eskom, the power utility, has made some inroads in bringing electricity to households, but talk on other fronts, such as housing and water, has frequently stalled.

For foreign investors, the latest slump in confidence presents something of a dilemma. The weaker the

The slump in confidence presents a dilemma for investors

rand, the better the buying power when it comes to joint ventures and equity investment, but it will be a brave banker who signs a cheque in the present circumstances.

Standard Bank calculates that about \$5.5 billion in foreign money entered South Africa in the 18 months leading up to the end of 1995, but of that, only about 20 per cent — or \$1.1 billion — was in direct investment.

Those to take the plunge include Kodak, IBM and Tony O'Reilly's Independent Newspapers, while BMW and Rolls-Royce have invested in new plants.

There has been strong activity in the hotel sector, with Hyatt opening a 248-room hotel in Johannesburg last year at a cost of R165 million. InterContinental, owned by the Saison Group of Japan, announced a joint venture with Southern Sun, and plans to build nine hotels by the end of the decade.

The real winners, as always, are the foreign tourists, who can look forward to even cheaper deals when they head down south. The buying power of the pound or dollar has never been better.

Notification of Dividend

The Annual General meeting held on May 9, 1996 confirmed the distribution of a dividend of DM 14 per share of nominal value DM 50 for the financial year 1995.

The dividend will be paid on or after May 10, 1996 net of 25 % withholding tax plus an additional surcharge of 7.5 % against submission of dividend coupon No. 14 as appropriate at one of the paying agents listed in issue No. 88, dated May 10, 1996 of the German "Bundesanzeiger" (Federal Gazette).

In accordance with the Double Taxation Agreement of November 26, 1964, as amended on March 23, 1970, between the United Kingdom and the Federal Republic of Germany, the withholding tax plus the mentioned surcharge in respect of shareholders resident in the United Kingdom is reduced to 15 %. To claim this reduction, shareholders must submit an application for reimbursement before December 31, 2000, to the Bundesamt für Finanzen, Friedrichstr. 1, D-53225 Bonn.

In the United Kingdom the dividend payment, which is free of charge, will be made in Pounds Sterling with conversion from Deutschmarks at the rate prevailing on the day of submission of the dividend coupon and will take place through the London offices of the following Companies:

S. G. Warburg & Co. Ltd.,
2 Finsbury Avenue,
London EC2M 2PP.

Morgan Grenfell & Co. Limited,
23 Great Winchester Street,
London EC2P 2AX.

The Board of Executive Directors
BASF Aktiengesellschaft

D-67056 Ludwigshafen/Rhine
May 10, 1996

BASF

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

فَكَذَّبْنَا مِنْ الْأَصْلِ

THE TIMES UNIT TRUST INFORMATION SERVICE

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Arraignment is surrender to court

Regina v Central Criminal Court, Ex parte Guey
Before Lord Goff of Chieveley, Lord Jauncey of Tullichettle, Lord Slynn of Hadfield, Lord Steyn and Lord Hoffmann

[Speeches May 9]
Where a defendant on bail was present at a court hearing but was not officially required to surrender and was formally arraigned, the arraignment amounted to his surrender to the custody of the court. From that point on his further detention was solely within the discretion and power of the judge. Unless the judge granted him bail he remained in custody pending and during his trial.

Section 8 of the Criminal Justice Act 1987 expressly provided that a trial should begin with a preparatory hearing and that an arraignment should take place at the start of the preparatory hearing. Accordingly, there was no justification for applying a different rule to cases within that Act.

The judge could not deprive an arraignment of its legal effect. An agreement between the parties could not divest an arraignment of its effect on bail.

The House of Lords so held dismissing an appeal by the Serious Fraud Office, as an interested party and an effective respondent to the application for judicial review by Mr Ramadan Guey, from a majority decision dated February 1, 1995, of the Court of Appeal (Lord Justice Peter Gibson, Sir Michael Mann, Sir Thomas Bingham, Master of the Rolls dissenting) (*The Times* February 3, 1995; [1995] 1 WLR 576) whereby an appeal by Mr Guey from the decision dated January 26, 1994 of the Queen's Bench Divisional Court (Lord Justice Ralph Gibson and Mr Justice Smith) (*The Times* February 1, 1994; [1994] 1 WLR 438) was allowed.

The Divisional Court had refused Mr Guey's application for judicial review of a decision dated July 30, 1993 of the Central Criminal Court (Mr Justice Tucker) requiring Mr Guey, as a surety for the bail of Mr Arafat Nadi, to forfeit £650,000 of his residence in the sum of £1 million.

Mr Robert Owen, QC, Mr

David Calvert-Smith and Mr Simon Brown-Wilkinson for the Serious Fraud Office; Mr Edmund Lawson, QC and Mr Russell Houston for Mr Guey.

LORD STEYN said that on December 16, 1990 Mr Nadi was charged with a number of offences of theft and false accounting. On December 17 Bow Street Magistrates Court remanded him on bail.

The conditions of his bail included provisions that he had to deposit £2 million; that he had to provide five sureties in the sum of £1.5 million and that he had to live and sleep at a London address.

The grant of bail was continuous so long as the proceedings remained in the magistrates court and extended until Mr Nadi first surrendered to the custody of the court.

On January 28, 1991 Mr Guey signed a form of recognisance for sureties in criminal cases. The form stated that he acknowledged his obligation to pay the court £1 million, if Mr Nadi failed to surrender to the custody of the court on April 23, 1991 at 3pm and custody at every time and place to which during the course of the proceedings the hearing might, from time to time, be adjourned and custody of the crown court on such day and at such time and place as might be notified to Mr Nadi by the appropriate officer of that court.

On October 25, after Mr Nadi had been charged with further offences, Bow Street Magistrates Court wrote to Mr Guey to inquire as to his willingness to continue to act as surety. On November 1 he confirmed his willingness to continue as surety.

On November 1, Mr Guey was assigned to Mr Justice Tucker. On February 28, 1992, and at the Central Criminal Court, Mr Justice Tucker held a preliminary hearing. Mr Nadi and his advisers were present.

The judge fixed June 22 as the date of the first preparatory hearing under section 7 of the 1987 Act. Mr Nadi was required to surrender to the custody of the court on that day.

On June 22 the preparatory hearing took place at Chichester Crown Court. That building had no cells. It also had no custody area set

aside for persons surrendering to bail to report to an official or a particular officer. The courtroom had no dock.

Mr Nadi, with his advisers, was present throughout the preparatory hearing. After some preliminary exchanges the judge said that the preparatory hearing would start. He asked Mr Nadi to stand up. The arraignment commenced. The counts in the indictment were then put to him. He pleaded not guilty to them.

At no stage during the preparatory hearing was any reference made to Mr Nadi's bail. The fact that Mr Guey was not present to agree to any extension of his recognisance caused counsel for both sides to agree that it was unnecessary for Mr Nadi to surrender to the custody of the court on that occasion. Both counsel bona fide believed that their agreement effectively kept Mr Guey's recognisance in force. The judge was not informed of that agreement.

Subsequently, further preparatory hearings were held. In April 1993 Mr Guey applied to withdraw his recognisance but abandoned the application before it was considered by the court. On May 4 Mr Nadi associated and was a fugitive from justice ever since.

Mr Guey was called upon to show cause why he should not forfeit £1 million. The judge ruled that in view of the agreement between counsel that Mr Nadi should not surrender to his bail on June 22, 1992 he must be regarded as not having surrendered to bail on that occasion. The judge ordered that Mr Guey should forfeit £650,000 and that in default of payment within six months Mr Guey should be liable to imprisonment. Mr Guey applied for judicial review.

It would be convenient to discuss the issues in the following order:
1 Whether there was a rule that a defendant in criminal proceedings, who was on bail and did not otherwise surrender to bail, did so by operation of law on his formal arraignment;
2 If so, whether a different rule obtained under the 1987 Act and
3 Whether any applicable rule could be varied by order of the judge or agreement between the parties or their counsel.

Lord Goff, Lord Jauncey, Lord Slynn and Lord Hoffmann agreed.

Solicitors: Serious Fraud Office; Kaim Todner, Islington.

The duty of a defendant who had been granted bail by the magistrates was to surrender to the custody of the court at the required time and place and, depending on arrangements at various trial centres, he might be required to report to a particular officer or a particular official: *DPP v Richards* ([1988] QB 701, 711).

What happened when the defendant, although present at the court hearing, was not officially required to surrender but was formally arraigned? Did he remain on bail after arraignment until the judge ordered otherwise?

The arraignment of a defendant involved calling him to the bar by name, reading the indictment to him and asking him whether he pleaded guilty or not. When a defendant, who had not previously surrendered to custody, was so arraigned he surrendered to the custody of the court.

His further detention was solely within the discretion and power of the judge. Thus, unless the judge granted bail, the defendant remained in custody pending and during his trial.

Given the express provisions of section 8 of the 1987 Act, the trial began with a preparatory hearing and arraignment took place at the start of the hearing. There was no justification for applying a different rule to cases governed by the 1987 Act. There was nothing in the Act, or in the purposes which in any way altered the legal effect on bail of an arraignment.

Given that arraignment operated in law as a surrender to custody, the judge might not in law abdicate his responsibility to ensure the custody of the defendant. He could not deprive an arraignment of its legal effect. A fortiori the agreement of the parties could not divest an arraignment of its effect on bail.

While his responsibility might have been slightly and done in the past, the rule was that where a defendant had not previously surrendered to custody his arraignment amounted in all cases as a matter of law to a surrender by the defendant to the custody of the court.

Lord Goff, Lord Jauncey, Lord Slynn and Lord Hoffmann agreed.

Solicitors: Serious Fraud Office; Kaim Todner, Islington.

Regina v Christou (George)
Before Lord Goff of Chieveley, Lord Griffiths, Lord Brown-Wilkinson, Lord Taylor of Gossforth and Lord Hope of Craighead

[Speeches May 9]
Where an accused was charged with sexual offences against more than one person and the evidence of one complainant was not such as to be admissible on the charges concerning the other complainants in accordance with the principle laid down in *Director of Public Prosecutions v P* ([1991] 2 AC 447) the trial judge had a discretion to order that all charges should be tried together, having regard to the provisions of the Indictments Act 1915 and the Indictment Rules (SI 1971 No 1253 (L 31)).

The House of Lords so held in dismissing an appeal by George Christou against his conviction for indecent assaults on his two young female cousins and sentence of a total of three and a half years imprisonment following a trial where the counts concerning each complainant were tried together.

The Court of Appeal dismissed his appeal based on the contention, inter alia, that the indictment should have been severed and the counts in respect of each complainant tried separately, but certified the point as of general public importance and the House of Lords gave leave to appeal.

Rule 9 of the 1971 Rules provides: "Charges for any offences may be joined in a trial, the indictment if those charges are founded on the same facts, or form or part of a series of offences of the same or similar character."

Section 5 of the 1915 Act provides: "Where, before trial, or at any stage of a trial, the judge is of opinion that a person accused may be prejudiced or embarrassed in his defence by reason of being charged with more than one offence in the same indictment, or that for any other reason it is desirable to direct that the person

should be tried separately for any one or more offences charged in an indictment, the court may order a separate trial of any count or counts of such indictment."

Mr Brian Higgs, QC and Mr Christopher Drew for the appellant; Mr Anthony Scrivener, QC and Ms Jane Sullivan for the prosecution.

LORD TAYLOR said that there could be no dispute that the counts in the present case relating to both alleged victims fell squarely within the scope of rule 9. They were therefore properly joined in one indictment. It was also accepted that section 5(3) of the Act gave the court a discretion as to whether or not counts on the same indictment should be separately tried.

However, Mr Higgs argued that where the evidence of one child was not admissible in support of allegations by another child, the judge's discretion should always be exercised in favour of severing the counts relating to those children.

Since *R v Cannan* ([1990] 92 Cr App R 16) had not been overruled and the point now at issue had not been argued in *DPP v P* the words used by Lord Macdary of Clackmannan, Lord Chancellor (at p463A) on which Mr Higgs sought to rely had to be regarded as obiter.

The proper approach to the question of severance was that stated by Lord Lane, Lord Chief Justice, in *Cannan* (at p23): "... the judge should exercise his discretion, and ... that is not a matter with which this court will interfere, unless it is shown that the judge has failed to exercise his discretion upon the usual and proper principles, namely, taking into account all things he should, and not taking into account anything which he should not."

His Lordship's reasons were as follows: the statutory provisions undoubtedly gave the trial judge a discretion. To hold that he is to decide the question of severance in

the manner in which the trial judge decided the question of severance in the present case would be to fetter that statutory discretion.

In what cases would the fetter apply? To all sexual offences? Or only to sexual abuse of children? If so, children of what age? Would such a fetter apply only where the children were giving evidence or, equally, as here, where mature adults were giving evidence of abuse during their childhood? No satisfactory answer of general application could be given to such questions.

It was clear that no such fetter existed in the law of Scotland. Although corroboration of a sexual complaint was required by Scots law, counts might be and were tried jointly even where the evidence on one was not corroborative of the evidence on another.

Looking specifically at sexual abuse of children, cases could vary greatly. A defendant might be indicted for discrete incidents of sexual abuse of different children in different places at different times, so that the allegations in respect of each count were in "water-tight compartments".

By contrast when, as here, the allegation was of a continuous course of conduct within one household involving two or more children over the same period and in similar circumstances, joint trial of all the counts might well be appropriate. Indeed, in such cases the principles laid down in *DPP v P* would often render the evidence of one child admissible to support the evidence of the other.

Lord Lane in the quoted passage refrained from specifying the factors a judge should consider when taking into account all things he should. They would vary from case to case but the essential criterion was the achievement of a fair resolution of the issues. That required fairness to the accused but also to the prosecution and those involved in it.

Some, but by no means an exhaustive list of the factors which might need to be considered were:

His Lordship contrasted that regime with that of ordinary patients admitted under section 3 of the Act where a measure of control was exercised, not by the secretary of state, but by the responsible medical officer and the hospital managers.

Section 3, appearing in Part II of the Act which dealt with civil or non-criminal admissions, provided for the admission of a patient for a maximum period of six months in the first instance; that period might be renewed, but in the absence of any renewal application the patient was to be discharged.

Mr Gledhill had submitted that the natural understanding of "recall" was "to bring someone back", and that someone could not be brought back to a place where he already was. Accordingly, he had argued that if a patient was in hospital at the time the secretary of state wished to issue a warrant of recall he could not do so, since he lacked jurisdiction.

As a fallback position Mr Gledhill had suggested that if the patient was in a particular hospital, he could not be recalled to that hospital, but could be to any other hospital.

His Lordship rejected those submissions. He agreed that the most obvious meaning of "recall" was to authorise the bringing back of someone to where he once was, but his Lordship could not accept that Parliament could ever have intended the provisions to have the limited and narrow effect of which Mr Gledhill had contended.

Two questions had to be asked:
1 When Parliament enacted the 1989 Act did it intend to do more than create a distinction for the purposes of the 1989 Act, and to alter the meaning of the 1975 Act as it then was if the regulation 16(9)(i) was outside the powers of the secretary of state.
2 If not, did Parliament alter the law on child benefit when it enacted the 1992 Act? That was a consolidating Act and the presumption was that it was not intended to change the law.

His Lordship said Parliament had not intended either of those things. The 1989 Act was concerned with the law about children. It was not concerned with the distribution of money provided by Parliament for social security purposes. Therefore, what was the present meaning of the words "in the care of a local authority" in paragraph (i) of Schedule 9 to the 1992 Act? In his Lordship's judgment, those words did not refer to the meaning of being in care as defined in section 105 of the 1989 Act.

There were two possible meanings:
1 The meaning under the 1975 Act which referred to the two kinds of care then known as a care order pursuant to an order of the magistrates' court and voluntary care;
2 The ordinary and natural meaning of care when, by whatever means, a child was being cared for by the local authority, the child was in the care of the local authority.

Either of those meanings was capable of resulting from the legislation and it was not necessary in the present case to decide between them. If it were, his Lordship would incline to the second meaning, the words should be given their ordinary and natural meaning.

Accordingly, the social security commissioner's decision was right. Lord Justice Aldous and Lord Justice Douglas Brown agreed.

Solicitors: Tyndallwoods, Birmingham; Solicitor, Department of Social Security.

Regina v Secretary of State for the Home Department, Ex parte D
Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Evans and Lord Justice Ward

[Judgment April 24]
A warrant of recall issued under section 42(3) of the Mental Health Act 1983 did not require only a patient's compulsory readmission and detention in hospital but also reinstatement of the stringent regime of control provided by section 41 of the Act.

Where, therefore, a patient, subject to orders made under sections 37 and 41, had been conditionally discharged but readmitted to hospital under section 3 of the 1983 Act, the secretary of state was entitled to issue a warrant recalling him to the hospital where he was, and to detain him as a result of his readmission.

The Court of Appeal so held, dismissing an appeal by D from Mr Justice Hadden (*The Times* April 1) who had refused his application for an order of habeas corpus directed to the Secretary of State for the Home Department and Eastbourne County Health Care NHS Trust and made on the ground that the warrant of recall had been issued without jurisdiction.

In 1985 D had been found not guilty of murder by reason of insanity. He was detained under section 5(1)(a) of the Criminal

Procedure (Insanity) Act 1964 and orders were made under sections 37 and 41 of the Mental Health Act 1983.

In March 1994 he had been conditionally discharged from the Ashen Hill Unit of Hellingly Hospital, Hailsham, Sussex, under an order of a mental health review tribunal but, on becoming ill in January 1995, he was readmitted under section 3 of the Act.

In May, the secretary of state issued a warrant for his recall to the Ashen Hill Unit where he was already detained under section 3. In July the six-month detention authorised by the section 3 admission ended and the period was not renewed under that section. Authority to detain D thereafter rested on the warrant.

In November the review tribunal to which the secretary of state had referred his case on recall recommended his continued detention.

Mr Kris Gledhill for D; Mr Christopher Kalkowski for the secretary of state; Mr Roger McCarthy, QC, for the health care trust.

THE MASTER OF THE ROLLS said that it was the clear statutory intent that where the conditions were satisfied for making a section 37 order and the circumstances justified a restriction order under section 41 a patient became subject to a more stringent form of control, subject to the overall decision of the secretary of state and ultimately a mental health review tribunal effect of which Mr Gledhill had contended.

Section 42(3) of the 1989 Act was a form of legal authority. It authorised the compulsory readmission of a patient and his detention. It also authorised, inevitably, the reinstatement of the regime of control under section 41.

That was the purpose of the secretary of state powers which he might well wish to exercise pursuant to section 41. It would be absurd if he could only exercise those powers if the patient were ceremonially allowed to leave one hospital in order that the warrant could be properly issued.

It would be absurd if the fact that he was in one hospital would justify his recall to any hospital other than that hospital, not least because if he were recalled to any other hospital he could then be transferred to that hospital.

It had to be inferred that Parliament would not have wished to countenance those various absurdities.

His Lordship would dismiss the appeal.

Lord Justice Evans and Lord Justice Ward agreed.

Solicitors: Steel & Sharnash; Treasury Solicitor; Donne Milham & Haddock, Brighton.

Recalling patient to same hospital

Regina v Secretary of State for the Home Department, Ex parte D
Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Evans and Lord Justice Ward

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Valuing property after conversion

Regina v East Sussex Valuation Tribunal, Ex parte Silverstone
Before Mr Justice Carnwath

[Judgment May 8]
When a purchaser of a property consisting of two separate dwellings converted them into a single unit and applied for it to be valued for the purposes of council tax under the Local Government Finance Act 1992, that amounted to the valuation of a new dwelling and not the alteration of the list to change two existing valuations into a single valuation.

The statutory assumptions on which valuations were made were not rebuttable and applied regardless of the actual facts of individual cases.

Mr Justice Carnwath so held in the Queen's Bench Division when dismissing an application by Mr D. C. V. Silverstone for judicial review of a decision on November 3, 1994 of the East Sussex Valuation Tribunal.

Mr Silverstone in person; Mr Stephen Hall-Jones for the tribunal.

MR JUSTICE CARNWATH said that Mr Silverstone had used the wrong procedure. This was a statutory appeal on a point of law under the Council Tax (Alteration of Lists and Appeals) Regulations (SI 1993 No 200). However, it was not necessary to rule him out on that score.

Since it was a genuine oversight by a litigant in person and there was no prejudice to other parties the court would use its residual jurisdiction under judicial review. In March or April 1993 Mr Silverstone had bought a property at 24 Marwick Terrace, St Leonards-on-Sea, consisting of two flats placed in Band C for purposes of council tax.

He planned to carry out extensive repairs and convert them into a single dwelling. The work was done by Mr Silverstone himself and was a slow process. He was living in the property although it was vacant for about three months after he bought it.

Mr Silverstone applied for an alteration to the valuation so as to have the whole property valued as a single property in Band C.

Following inspection by a listing officer the property was placed in Band E, a higher band. Mr Silverstone applied to the valuation tribunal who also decided that the property be placed in Band E.

His Lordship said that there were for the purposes of valuation certain assumptions under regulation 6 of the Council Tax (Situation and Valuation of Dwellings) Regulations (SI 1992 No 550), for example that the interest holder had freehold, free from any encumbrance and with vacant possession and that the dwelling was in a reasonable state of repair. It was an artificial exercise, the object being to ensure that all properties were valued on a reasonably uniform basis.

The assumptions prescribed were expressly made mandatory. An assumption by definition was a hypothesis which might be adopted whether or not it was in fact true. That was a familiar concept in valuation law.

The whole purpose would be lost if it were open to individual owners to rebut the assumption by reference to individual cases. There-

fore on that point the tribunal's decision was clearly correct and the application failed.

Mr Silverstone said that the value of his property was reduced by the demolition of some of the internal walls during the process of conversion and that therefore he could claim a reduction in the valuation.

His Lordship said that that was a misconception. Regulation 4 of the 1992 Regulations which dealt with alteration of valuation bands applied to the dwellings which were already in the valuation list.

The removal of two existing dwellings and the inclusion of a new dwelling constituted the insertion of a new valuation band for that dwelling whereas regulation 4 was concerned with demolition works affecting the value of existing dwellings.

But even where the case was made for alteration under regulation 4 the value following demolition would have to be assessed under the same statutory assumptions.

Solicitors: Hillmans, Eastbourne.

No benefit payable for child in voluntary care

McLavey v Secretary of State for Social Security and Another
Before Lord Justice Staughton, Lord Justice Aldous and Lord Justice Douglas Brown

[Judgment April 30]
A child who was voluntarily placed in local authority accommodation was "in the care of a local authority" for the purposes of paragraph (i) of Schedule 9 to the Social Security Contributions and Benefits Act 1992.

Therefore, his mother could not receive child benefit in respect of him by virtue of regulation 16(9)(i) of the Child Benefit (General) Regulations (SI 1976 No 965), as amended by regulation 3 of the Child Benefit (General) Amendment Regulations (SI 1991 No 2105).

The Court of Appeal so held dismissing an appeal by Frances Mary McLavey against the decision of Mr A. W. E. Wheeler, a social security commissioner, on September 12, 1994 to uphold a decision of the social security

appeal tribunal that she had been overpaid £132.00 child benefit in respect of one of her sons and was not entitled to child benefit in respect of another son.

Mr Richard Drabble, QC, for the appellant Mr J. R. McManus for the secretary of state and the Chief Adjudication Officer.

LORD JUSTICE STAUGHTON said that two of the appellant's sons had been placed in local authority accommodation under section 20 of the Children Act 1989.

The Social Security Contributions and Benefits Act 1992 provided by paragraph (i) of Schedule 9 that no person was entitled to child benefit in respect of a child "in the care of a local authority" in certain prescribed circumstances.

Regulation 16(9)(i) of the 1976 Regulations, as amended, provided that one prescribed circumstance was where a child was provided with accommodation by a local authority under section 20 of the 1989 Act.

The appellant argued that regulation 16(9)(i) was outside the powers of the secretary of state because paragraph (i) of Schedule 9 to the 1992 Act must refer to the making of a care order under the 1989 Act and not to a child being taken into local authority accommodation under the procedure which used to be known as voluntary care.

Regulation 16(9) was originally made under the Child Benefit Act 1975. The concept of care at that time was rather different. There were two kinds of care: a care order pursuant to an order of the magistrates' court, and voluntary care, when a child was placed in local authority accommodation.

When the 1989 Act was enacted those two kinds of care still survived in substance. There were two kinds of care: a care order under section 31, as described by section 105, the interpretation section, as providing for a child to be in the care of the local authority.

If the expression "a child in the care of a local authority" in

paragraph 1 of Schedule 9 to the 1992 Act was regulated by the interpretation section in the 1989 Act then neither of the appellant's sons was in the care of the local authority.

It seemed to his Lordship that where a child was in local authority accommodation within section 20 of the 1989 Act the local authority had, in the ordinary meaning of language, a duty in care for the child and the child was in local authority care. However, such a child was not, within the meaning of the 1989 Act, in the care of a local authority.

The change brought about by the 1989 Act might have arisen by reason of the new concept of parental responsibility. Parliament was drawing a distinction between children who by order of the court were cared for by the local authority and those who remained in the parental responsibility of some other person but were being provided with accommodation by, and were in the de facto care of, the local authority.

Two questions had to be asked:
1 When Parliament enacted the 1989 Act did it intend to do more than create a distinction for the purposes of the 1989 Act, and to alter the meaning of the 1975 Act as it then was if the regulation 16(9)(i) was outside the powers of the secretary of state.
2 If not, did Parliament alter the law on child benefit when it enacted the 1992 Act? That was a consolidating Act and the presumption was that it was not intended to change the law.

His Lordship said Parliament had not intended either of those things. The 1989 Act was concerned with the law about children. It was not concerned with the distribution of money provided by Parliament for social security purposes. Therefore, what was the present meaning of the words "in the care of a local authority" in paragraph (i) of Schedule 9 to the 1992 Act? In his Lordship's judgment, those words did not refer to the meaning of being in care as defined in section 105 of the 1989 Act.

There were two possible meanings:
1 The meaning under the 1975 Act which referred to the two kinds of care then known as a care order pursuant to an order of the magistrates' court and voluntary care;
2 The ordinary and natural meaning of care when, by whatever means, a child was being cared for by the local authority, the child was in the care of the local authority.

Either of those meanings was capable of resulting from the legislation and it was not necessary in the present case to decide between them. If it were, his Lordship would incline to the second meaning, the words should be given their ordinary and natural meaning.

Accordingly, the social security commissioner's decision was right. Lord Justice Aldous and Lord Justice Douglas Brown agreed.

Solicitors: Tyndallwoods, Birmingham; Solicitor, Department of Social Security.

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OPERA 1
Should English National Opera dump the Coliseum and move to a purpose-built new theatre?



OPERA 2
Mozart with warts on: Music Theatre London revives its street-wise staging of *Don Giovanni*

THE TIMES ARTS



MUSIC 1
Evgeny Kissin displays his magnificent piano technique to a packed Festival Hall



MUSIC 2
If music be the love of food... the percussionist Evelyn Glennie unveils her new "kitchen" piece

English National Opera may be about to abandon one of London's greatest theatres. Richard Morrison reports

Final curtain for opera at the Coliseum?

The plank sways as we walk along it. Only slightly. Just enough to freeze the blood. "Don't look down," shouts the cheery Ted Murphy, English National Opera's head of technical services. Naturally I look down. The stagehands below, striking the *Fidelio* set, seem very small. So does the single guide-wire separating me from the big drop. "Built this bridge myself," says Murphy, reassuringly. "It's the only way over the stage."

Murphy's bridge hangs just under the London Coliseum's massive grid: the network of steel bars that bears the load of every set necessary for ENO's current repertoire. At that moment the vast platform which is a central feature of *Fidelio* is being winched towards us. "Weights nine tons, that thing," says Murphy. "We call it The Monster."

Most modern opera houses have side-stages on which sets can be stored and then moved seamlessly into position on pneumatic wagons. But the Coliseum is not a modern opera house. It is an Edwardian variety hall, one of Frank Matcham's finest, but never intended for "if it's Tuesday it must be *Tosca*" purposes. There are no side-stages. In truth, there is not enough space anywhere, even under the grid. The Coliseum measures 21 metres from floor to grid, says Murphy with a sigh. The *Bolshoi* in Moscow is 34 metres, while Chicago's Lyric Theatre boasts an all-American 42 metres.

Nevertheless, ENO has nowhere else to put its sets except suspended from the grid. So up goes the *Fidelio* Monster, hanging on cables while, directly below, the company performs three other operas in nightly sequence. All their sets will also be "flown" from the grid. And this laborious changeover of gigantic sets happens 650 times a year.

So, I suggest nervously, this

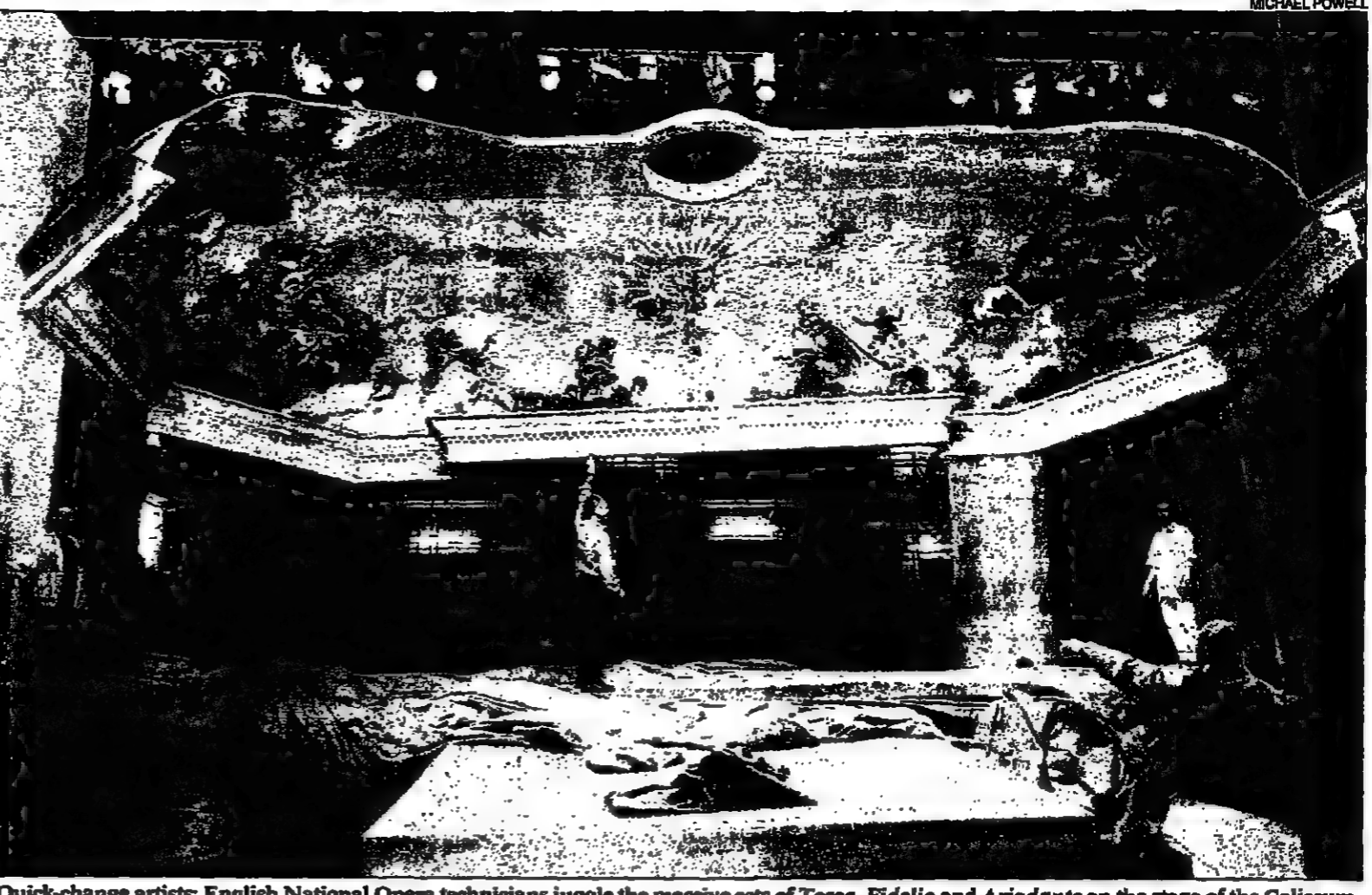
grid must be really solid, modern engineering? "Built in 1904, like the building," says Murphy. "But don't worry, it's fine... considering its age. The only problem is when there's been a heavy fall of snow. Then we have to call in a foundation engineer to make sure the roof can support the extra load."

I make a mental note: never go backstage at the Coliseum in January. But by now we have reached a series of ropes, hundreds of them, colour-coded according to the stage set that they raise or lower. Virtually nothing at the Coliseum is done by machinery. Murphy has 28 people working in shifts, seven days a week, to prepare the stage for

the next rehearsal or performance. The stage crew work a basic 54 hours a week for £24,000; but then comes overtime. "Most end up doing an 80-hour week," Murphy says. He indicates one rope. "That's *Tosca*. Try pulling it." I do. The rope won't budge. "Perhaps the brake is still on," I suggest feebly. Murphy grins. "That's the test I give to people who come for job interviews," he says. "You've just failed."

What am I doing here, in this antiquated, terrifying world of ropes and counterweights and nine-ton Monsters? In fact, I am trying to answer another set of questions. Should ENO dump the Coliseum? Should it leave behind this much-loved but hopelessly impractical old theatre, and build itself a spanking new opera house, with all the side-stages and hydraulic lifts that Ted Murphy's heart could desire?

Four years ago, the question would have been unthinkable. That was when the Government, with help from the Foundation for Sport and the Arts, bought the Coliseum from Stoll Moss Theatres and presented it to ENO: a home for ever, or so it seemed. But it soon became apparent that the Coliseum would not last for ever without much structural improvement. Its loyers and bars are tiny; its space for catering and corporate entertaining laughable; its rehearsal rooms non-existent; its air-conditioning Victorian; its plumbing Plantagenet.



Quick-change artists: English National Opera technicians juggle the massive sets of *Tosca*, *Fidelio* and *Ariadante* on the stage of the Coliseum

In the 1980s, such problems would have produced "patch up and hope" remedies. But the arrival of the National Lottery persuaded the ENO board to seek a long-term solution. They commissioned a study to evaluate the options for ENO and the Coliseum.

That study will be completed in the summer. But two alternative scenarios are already apparent. The first is for the Coliseum to be subjected to a major redevelopment, costing up to £60 million. For that tidy sum, the front of house could be made much more attractive, and backstage facilities brought into line with EU health and safety standards. "But what you couldn't do," says Dennis Marks, ENO's

general director, "is run the theatre as most modern opera houses do, so that while you were performing one show you could be building or rehearsing the next one." The Coliseum backstage simply cannot be expanded: the site is landlocked. Ted Murphy's squads of 80-hours-a-week musclemen would go on shifting sets by hand till kingdom come. And £60 million would have been spent without solving the main problem.

Which brings us to the second option. ENO would leave the Coliseum for ever; there would be no shortage of buyers for the old place, since it would ideally house a long-running musical. Meanwhile, ENO would seek lottery

money to build a new opera house of 2,000 seats, with a smaller adjacent theatre seating 800. "We need to deliver 200 opera nights a year," says Marks. "But we don't need to deliver all of them in a 2,000-seat auditorium. Mozart, Monteverdi, some 20th-century work: this could be done in a smaller space." Whichever theatre was not in use for opera could then be used by visiting dance companies. That's the theory, anyway.

Marks says that "within Zone 1 of the London Underground system" there are no fewer than 50 potential sites for such a well-equipped twin-theatre complex. That seems a suspiciously high figure. But what might worry people even

more, I suggest, is whether London has the audience to support a new opera-cum-ballet house for ENO and the redevelped Covent Garden. The Arts Council's recent Stevenson report suggested that it doesn't.

Marks bristles. "The Stevenson report was based on figures produced at the depth of the recession," he says. "Without any doubt whatsoever we know that there is an audience for both houses."

So this is ENO's stark choice. Marks will not publicly favour one option over the other until the study is finished. Even then, the decision will be tough. For all its faults, the Coliseum is adored by audiences and, more surpris-

ingly, by those who work there. Like some veteran chorus-girl, it looks like a wreck by day, yet still puts on a hell of a show each night.

The ENO staff that I met seemed to have no great enthusiasm for a move to new premises. But there was an acknowledgement that such a move might be the only sane way forward. ENO's technical director, Laurence Holderness, summed up the general feeling. "At the Coliseum it's a logistical nightmare on the stage, every day. But for 1904 this was a fabulous building, and it still is. If we do build a new theatre, I hope we also have the vision to build one that will last for a hundred years."

RECITALS: Mixed fortunes for strong characters in a tale of two virtuosos

A star for all seasons

Evgeny Kissin
Festival Hall

IT IS audiences who turn musicians into performing animals, and only the noblest artist dare resist. Evgeny Kissin responded to the bawling, braying and wild whistling at the end of his sold-out Festival Hall recital by giving them what they wanted: Weber's whirligig of a *Perpetuum mobile*, and two extravagant transcriptions, Liszt's of Schumann's song *Frühlingssnacht* and Tausig's of Schubert's *Marche militaire*.

At 25, Kissin has at least 23 performing years' experience of obsessive adoration, and knows pretty well how to handle it. And, apart from being the inevitable concert-of-the-disc (complete with signing session afterwards), this recital was something more besides. From first note to last the programme had a satisfying intellectual and musical coherence.

At its heart lay the experience of one composer's response to another, refracted through the glass of a third, recreating, spirit. First came Busoni's transcription of Bach's great *Chaconne*. Kissin answered its extreme contrasts of dynamic and tempo with a highly strung flamboyance of his own.

Kissin's energy and impetuosity carried over into Schumann's *Fantasie* in C: drawing back, from time to time, from its many shapes of fancy to reveal the simple eloquence of song. Beethoven's *Moonlight Sonata* was seductively simple, its oscillating rhythms a mere ripple of a breeze on the surface of moving water.

Liszt, that transcriber supreme, provided the grandest of finales. His *Transcendental Studies*, inspired by Paganini's writing for the violin, best live up to their name when they transcend virtuosity itself. In Kissin's hands they did. In the *Harmonies du soir* one was only incidentally aware of the technical prowess of the writing; in *Feux follets* the will-o'-the-wisps seemed to move with a will of their own as the fingers barely touched the keys.

Weber's hunting horns rang out of the C minor *Wilde Jagd* study, heralding the exuberant patterning of cross-references in a triptych of encores Kissin clearly enjoyed as much as his audience.

HILARY FINCH

Done to a turn

Evelyn Glennie
Queen Elizabeth Hall

IS A woman's place in the kitchen or up on the stage? If you are Evelyn Glennie the question is otiose: you can be in both places at once. My *Dream Kitchen* is a piece cooked up for Glennie by jazzman Django Bates, which exploits the percussive potential of kitchen utensils. "Ev's Café" is set up on the stage, the proprietress wearing a chef's hat, with a row of pots and pans suspended, crying out to be struck. It is a nice idea, and the comic touches are neatly executed by Glennie, though this is hardly Bates at his brilliant best.

Glennie's current tour, *Striking Ahead*, offers an entire programme by living composers. How many other artists could fill the QEH with contemporary music alone? The downside is that many of the pieces are not terribly good. The most interesting, and certainly the most enigmatically titled, is Kevin

Volans's *She Who Sleeps With a Small Blanket*. This also features the marimba, placed centre stage, towards which the work progresses — literally, since the performer leaves her bongos and congas behind, to play out on it the last poignant scene of an imagined drama.

Javier Alvarez's *Temazal* also ended with an imaginative twist, when the maracas (tediously deployed up to then) turned into a Latin American backing rhythm for a tune emerging evocatively on tape. Glennie took the vocals in an arrangement of *Born to be Wild*, backing herself — with supreme virtuosity, as ever — on marimba, frog-mouth cowbells and home-made cymbals.

For John Psathas's undistinguished *Rhythm Spike*, Glennie turned to the piano: a brave move but of doubtful wisdom. The nadir of this "act" was reached in an embarrassing pantomime preceding the first encore.

But all was forgiven in the heart-stopping rendering of the *Londonerry Air* that followed. Coaxing the mellifluous tone of the marimba from the void, and returning it thence, this performance, hovering on the border between sound and silence, provided a moving commentary on the whole Glennie phenomenon.

BARRY MILLINGTON

Happy return to louche pastures

EVEN the new has to grow old, but Tony Britten's and Nicholas Broadhurst's Music Theatre London is doing so gracefully. It is six years since they burst upon us with their aggressively demotic, not to say scatological version of Mozart's opera — *Giovanni* a city broker with conquests as far away as Market Harborough, Zerlina a Basilidon bimbo with a taste for crème de menthe, Ottavio a prat with a cricket bat.

Time has caught up with it: disco dancing and Elvira with a street map are now mainstream Mozart, thanks to Deborah Warner, and the Peter Sellers Spanish Harlem version has been televised, its abuse of McDonald's French fries matching Broadhurst's Chinese take-away, both of them dainty dishes to set before a Commendatore. And today's set before a Commendatore. And today's "authentic" tempos make some of Britten's sound pretty staid.

But it was always the strongest of the MTL shows — Britten's new overture is a

OPERA

Don Giovanni Drill Hall

little miracle of wit that Mozart himself would relish — and stands up well to revival. There are, of course, changes: Leporello's catalogue is now digitally stored, and there is more substance-abuse than before, a new Princess of Wales joke, and a rethink of Giovanni's boxer shorts that makes the denouement less hilarious than it was in 1990.

Perhaps for reasons of political correctness — we are, after all, in the Drill Hall — Zerlina (Justine Kos) is less of a scrubber, and Ottavio less of a prat, which raises the one serious problem. *Il mio tesoro* is sent up sky high, but the *Non mi dir* scene is taken with Mills &

Boon seriousness, and not even Mozart can quite bridge the gap between *dramma* and *gioco*, a gap otherwise cannily spanned by Broadhurst's direction.

But there is no point in getting too solemn: this remains a very funny show on its own terms. Darryl Knock's lightly Welsh, terrier-tenacious Leporello has boundless charm and hangdog humour. Andrew C. Wadsworth's deadpan, fish-eyed Giovanni is eminently hissable, and the Swedish soprano Sara Jungberg sings Anna's big numbers more confidently than some I have heard in mainstream houses. Peter Prentice managed Ottavio's *Il mio tesoro* so smoothly that the sending-up seemed more than ever unjust. Britten's little band of five, with himself at keyboards, worked extremely hard and Wednesday's audience enjoyed itself hugely. So did I.

RODNEY MILNES

THE SUNDAY TIMES

THE LOST ART OF THE SCREEN KISS

John Barrymore managed 127 kisses in *Don Juan*, while Clark Gable worked his way through an entire alphabet of actresses. But, with the controversial film *Kids* released this week, kissing is no longer enough. In *The Culture* this Sunday, Tom Shone asks whatever happened to screen romance?

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THE SUNDAY TIMES IS THE SUNDAY PAPERS



POP 1

Older, certainly, but is it any better? George Michael plays it very cool on his new album



POP 2

... while Elvis Costello undergoes a quiet renaissance on the accomplished tracks of *All This Useless Beauty*

THE TIMES
ARTS



POP 3

On their eighth album, Def Leppard attempt to inject a little adventure into their act



POP 4

Ocean Colour Scene, friends of the famous, widen their circle of admirers with a knockout London gig

NEW ALBUMS: The title of Elvis Costello's LP describes George Michael's, says David Sinclair

Wake him up before he goes off

GEORGE MICHAEL

Older (A&E/Virgin 8 41392)
THE most surprising sequence in the soft-porn promo video that accompanies George Michael's No 1 single, *Fastlove*, is the moment when he finally gets out of his chair and starts dancing. Never mind that he is immediately drenched in a shower of water, it is more of a jolt just to see him up and moving again.

For, with his latest configuration of facial hair lending a Mephistophelian cast to his features, the sombre and sedentary presence of Michael in 1996 is far removed from that of the fun-loving young pup who once regaled us with *Wham! Rap and Wake Me Up Before You Go Go*.

One always suspected that his first album since suffering such a resounding court-room defeat at the hands of his old record company would not be an especially buoyant affair. And, if nothing else, Michael has proved that he is a man who can afford to move at his own pace. But he has evolved into a performer of such eerily sophisticated poise that it is difficult to detect a heartbeat on *Older*.

Heavily weighted in favour of slow, breathy ballads in the mould of *Jesus to a Child*, the single before *Fastlove*, the album sits in the room like an expensive perfume. *To Be Forgiveness* drifts from the speakers like a warm tropical breeze, while during *The Strangest Thing*, in which a lone hi-hat fights a losing battle to lift the tempo, Michael sounds like a man struggling to wake up from a dream as he sings lines such as "Take my hand, lead me to some peaceful land".

Injecting a somewhat tougher tone into his voice on *Star People*, he expresses distaste for pop stars who whine about how hard the world has been on them, while curiously insisting "I do not count myself among you". The smoochy, jazz-inflected sounds of muted trumpet, flugelhorn and saxophone lend colour to the similarly subdued arrangements of *Spinning the Wheel* and the title track, an earnest rumination on the process of growing up and out of a relationship.

While admiring the exquisite craft of *Older*, you soon long for something a little louder or, at least, more spontaneous to balance all this



"In his quest for perfection, George Michael has ended up in a fantastically stylish limbo" with his new album, *Older*

obsessively honed elegance. In his quest for perfection, Michael has ended up in a fantastically stylish limbo.

ELVIS COSTELLO & THE ATTRACTIVEIONS
All This Useless Beauty (Warner Bros 9362-46198)
THE arrival of a new Elvis Costello album is not the event

it used to be. But, after last year's poorly received collection of cover versions, *Kojak Variety*, there are signs of a quiet renaissance in progress on *All This Useless Beauty*.

Old-fashioned references to typewriters and the hole in the ozone layer date him as surely as his over-stylised vibrato, which sends his voice wob-

bling around the slow ballad *Why Can't A Man Stand Alone?* like a jelly left on top of a washing machine.

But Costello's enduring artistry shines through on the clattery, neo-spiritual chant of *Shallow Grave*, co-written with Paul McCartney, and a revamped version of *You Bowed Down*, the Byrds-fla-

voured song he wrote for Roger McGuinn's album, *Back From Rio*.

The Attractions rev up on *Complicated Shadows*, but tend more often to maintain a discreet supporting presence, as on *Poor Fractured Atlas*, where pianist Steve Nieve assists in the lifting of a rather obvious line from Beethoven's

Moonlight Sonata. While hardly a revelation, it is an album which ought to arrest the decline.

THE TONY RICH PROJECT

Words (LaFace/Arista 73008 26022)
TONY RICH is the latest star to emerge from Atlanta, Georgia, a city which is currently such a hotbed of black musical talent that it is being talked up as the Motown of the 1990s. A producer, singer, composer and multi-instrumentalist — and still only 23 — Rich projects a much more gentle and thoughtful persona than the macho rap artists and preening soul men of the R. Kelly generation.

His music has a similarly smooth veneer, as evidenced by his first hit single *Nobody Knows*, a delicate, slow-paced song that is typical of the album as a whole.

But there are dark undercurrents and a wiry strength to numbers such as *Ghost* and *Under Her Spell* that belie the surface sheen. "Ain't no fairy in these tales/It's all about taking what you want and making bail," he warns in *Grass Is Green*, one of several lyrics that read like a strangely warped morality tale. This is how George Michael might sound if he still lived in the real world.

DEF LEPPARD
Slang (Bludgeon Rifolia/Mercury 532 486)
NOW on to their eighth album (it seems like more), Def Leppard have attempted to throw off some of the more limiting aspects of their tight-rope, soft-rock formula and get a little adventurous.

The result is a less slickly produced and surprisingly alert album which touches base with rap-pop on the title track and dabbles in Eastern musical flavours — *a la* Jimmy Page & Robert Plant — on *Turn to Dust*.

Axeman slays crowd in NW1

AT FIRST glance, the unlikely transformation of Ocean Colour Scene from baggy-era also-rans into flavour of the moment looks like a story of success achieved on the coattails of others. Guitarist Steve Cradock and bass player Damon Minchella both play in Paul Weller's band and OCS have enjoyed the enthusiastic patronage of Noel Gallagher, who secured them slots supporting Oasis as long ago as 1994 and as recently as last month.

True to form, Gallagher and his brother Liam, freshly shaved and ostentatiously reunited with Patsy Kensit, were there to cheer on the lads in the final date of OCS's marathon British tour. But any suggestion that the four-piece band might not fully merit attention in their own right was instantly rebutted the moment they set off with the clipped, romping riff of *You've Got It Bad*.

For one thing, OCS demonstrated a level of skill that is streets ahead of their Britpop contemporaries. With the fast, flexible rhythm section of Minchella and drummer Oscar Harrison to rely on, Cradock demonstrated why he is the nearest thing to a guitar hero in modern British rock. Combining neatly sketched rhythms and riffs with taut solos and expertly controlled feedback, he covered a huge amount of territory with the minimum of fuss, most notably on the band's piece de résistance, *The Riverboat Song*.

Simon Fowler, whose throaty voice sounded stretched to the limit at times, nevertheless made an equally convincing job of carrying the band's many wonderful tunes,

Ocean Colour Scene Electric Ballroom

including the Beatles-influenced *The Day We Caught The Train* and the celebratory *One for the Road*, with its mood-defining chorus of "Get up and dance, get up and smile/Get up and drink to the days that are gone in the shortest while."

If there was a shortcoming it was in the band's lack of an image or an imposing individuality.



Simon Fowler gives his all for Ocean Colour Scene

ual personality to act as a focus of attention. Then again, it made a pleasant change to come across a group whose collective strength lies in superlative musicianship. And even if they did fall back on an old Beatles song, *Day Tripper*, for an encore, they can still boast a songbook that most of today's acts would die for.

DAVID SINCLAIR



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- 1 Jagged Little Pill... Alanis Morissette (Maverick)
- 2 1977... Ash (Infectious)
- 3 To the Faithful Departed... Cranberries (Island)
- 4 Greatest Hits... Take That
- 5 (What's the Story) Morning Glory?... Oasis (Creation)
- 6 Hits... Orbital (Internal)
- 7 In Sides... Garbage (Mushroom)
- 8 Garbage... Celine Dion (Epic)
- 9 Falling Into You... M People (Deconstruction)
- 10 ... Bizarre Fruit/Bizarre Fruit II... M People (Deconstruction)

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Caribbean cache

ERNEST RANGLIN

Below The Bassline (Island UCD-4002)
IMBUE with the unmistakable flavour of the West Indies, Ernest Ranglin's collection of instrumentals should do well with all those hipsters who revel in George

JAZZ ALBUMS

Benson's fusion cocktails. Quiet and unshowy, his urbane guitar revisits a neglected cache of melodies.

Long ago, Ranglin had a hand in the founding of Chris Blackwell's music empire, laying down the rumpin' ska beat on Millie Small's *My Boy Lollipop*. Now he, along with the pianist Monty Alexander, has been accorded the honour of inaugurating Island's new Jamaica Jazz imprint.

When all the elements come together, this form of Caribbean crossover exudes all the vivacity of old-style swing. Ranglin's approach is more low-key, and the lack of another frontline soloist sometimes proves a liability. Roland Alphonso's saxophone adds muscle to *Ball of Fire*, but the rest is music for the small hours.

OSCAR PETERSON
Bursting Out with the All-Star Big Band! (Verve 529099)

VIEWED in one light these orchestral sessions, dating from 1962 and 1999, represent a cavalier waste of talent: Roy Eldridge, Cannonball Adderley and Clark Terry are among the stars required to labour in the background with few opportunities to shine. Neither Ernie Wilkins nor Russell Garcia takes many chances on the arrangements, but with a player as extravagant as Peterson, the cautious approach bears fruit. The big-band format provides a counterweight to the leader's renowned, and often oppressive, virtuosity.

CLIVE DAVIS

● Caitlin Moran's column returns next week

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EDUCATION

Are our children going soft?

The Armed Forces are finding fewer recruits fit enough for basic training.

Arthur Bland asks if schools are at fault

Physical education was back on the political agenda this week, as the parties put forward alternative visions of an Academy of Sport. But new evidence from the Armed Forces suggests that Britain's fitness deficit is a much wider and more serious problem.

In 1902, when PE became compulsory in schools, the Government was reacting to evidence provided by the recruitment campaign of the Boer War. Mass recruitment had shown that nearly half of the potential army recruits were physically unfit to serve.

The solution to this "national scandal", which was widely debated in the press and Parliament, was to introduce school dinners to improve the levels of nutrition and promote structured physical training for all schoolchildren to improve their health. There is little doubt that this programme was effective.

With the onset of the First World War, the same concerns about the physical fitness of the nation were raised. This time, even when in the early days of the war the same criteria for fitness were applied, the country was able to raise the Army it needed.

The majority of the early schools' PE instructors were men appointed by the Army, as the principal agency with a vested interest in the fitness of the potential fighting force. In this way, the Army was able to take direct action to ensure that the recruits arriving for basic training were physically equipped

to undertake the rigours of the transformation from civilian to service life.

Today, after eight years of reduction in school PE, following the introduction of the national curriculum, the Army has once again found itself having to take direct action in order to ensure that some recruits are fit enough to commence their initial training. This provides a startling benchmark to the erosion of personal fitness levels which could be seen as an effect of the reduction of PE in schools.

In 1987, only 35 per cent of schools provided less than two hours of PE a week to their pupils. At that time it was unusual for potential recruits to fail the physical fitness part of their selection procedure. In 1995, when 75 per cent of schools offered less than two hours PE, the figure for failure had risen to 15 per cent.

"We used to be able to rely on the schools to provide us with recruits who were able to cope with the physical and mental demands of initial training. We can't do that any more," a spokesman from the Department of Army Recruitment said.

As a result of the significant shift away from physical activity by young people, the Army now has to provide its own advice to potential recruits to help them to pass the selection test. Over and underweight recruits, and those whom it believes will benefit, attend an additional three weeks of training before starting their initial recruit training designed to equip them



A traditional school physical education class: but new evidence from the Armed Forces shows that too few of today's children are as fit as this youngster

physically for the demands of army life. The definition of fitness has always been the subject of debate but at the military level it is simply seen as the ability to sustain a high level of activity for an extended period.

Dr Edward Winter, an expert in exercise physiology at De Montfort University, Leicester, is careful to point out that objective scientific measurement in children and adolescents up to the age of 16 shows that basic levels of health appear not to have fallen. "But there are concerns about the levels in fitness of young people today. Although the majority are healthier, they are

not necessarily fitter." The rise in chest, circulation and breathing complaints, which have a link to the decline in activity among today's youth, paints a worrying picture. These diseases have become significant contributors to the 24 per cent who fail their medical for the Armed Forces.

The fear is that the decline in fitness may only represent the tip of the iceberg. In time, an increase will be revealed in diseases which only an active lifestyle at school has kept at bay.

Another concern for the long-term development of PE is that trainee teachers are arriving at

university having had much less sporting experience because of the reduction in time available for the subject in schools.

Government initiatives to promote games in school are unlikely to prove a panacea. There is no extra money to pay teachers overtime, nor are there reductions in other subjects to offset timetable demands.

In order to support its manpower demands, the Army must recruit 15,000 young people each year. In a system not restrained by a refined training regime, this would not be a

problem. Shortcomings in education or fitness are overcome in the United States by retraining or specialist attention. But budget constraints make this approach impossible for the Ministry of Defence and so the Armed Forces rely on schools.

We no longer need mass recruitment — as we did at the turn of the century. And any pattern of shortcomings is obvious in a streamlined and tightly monitored modern training regime.

Given that the public image of the Services is one of physical activity, it can be assumed that those presenting themselves for

service have been keenest on keeping fit while at school. Even so, the Services, including the police, are finding volunteers who are not physically equipped during their school years for the physical demands of the career they have chosen.

When you apply a benchmark drawn from recruitment for the Army which has stood the test of time, the evidence is clear. Urgent action is needed if schools are to lay a basic foundation promoting the long-term healthy development of the majority of the population.

● The author is an exercise physiologist and former Army PE officer

Students need more than mere success

For most schools and universities, success in a chosen career is the litmus test of achievement. Professor David Orr views things differently. If he had his way, every undergraduate would take a course in humility — meaning a soup kitchen, for instance.

Professor Orr, 52, is among

the most lucid of a new breed of academic — the environmental educationalist. He is the author of a remarkable new book, *Earth in Mind*, the co-founder of the Meadowcreek Project in Arkansas, an experiment in applying "hands-on" ecology to education, and Professor of Environmental Studies at Oberlin College, Ohio. He is in the UK teaching a two-week course on "Education for the 21st Century" at Schumacher

College in Devon, an international centre for ecological study founded five years ago by the Dartington Trust.

In America, many students think they know the answer. Oberlin, like other American universities, has been swept by an enthusiasm for environmental studies: it now comes fifth in the list of "major" subjects behind such stalwarts as English, biology and history. Other colleges report a twentyfold increase

in numbers majoring in the subject.

The appeal goes beyond a reaction against overspecialisation. There is a new weariness with theory and with what Professor Orr calls "indoor thinking". The most popular courses reflect this — they range from "Literature of the Wilderness" (University of California) to "The Ecology of New England" (Dartmouth College).

Professor Orr's graduates

also find themselves in a booming field of employment, from habitat restoration to political lobbying in Washington DC. For Professor Orr, this goes to the heart of the matter since it is the ecological ignorance of the university-educated professional elite that he blames for the environmental crisis.

Hence his call for a redesign of education. He writes in *Earth in Mind* that schools and universities are

equipping people "merely to be more effective vandals of the Earth... If one listens carefully, it may even be possible to hear the Creation groan every year in late May when another batch of smart, degree-holding but ecologically illiterate Homo sapiens who are eager to succeed are launched into the biosphere."

Education, Professor Orr says, has become an "adjunct to the commercial economy", removing people from con-

tact with the natural world and causing their "sense of wonder" at nature to atrophy. Students need to be "immerged" in living landscapes — for instance, the Black River watershed which flows into Lake Erie, studied by Oberlin students for the past five years.

His main message, however, concerns our definition of success. Most social and environmental damage — the destruction of the rainforests,

or the corporate "disinvestment" that has turned parts of Ohio into an industrial wasteland — is caused by people with BScs, MBAs and PhDs.

What the planet needs now is "peacemakers, healers, restorers... If we are much more successful as a species, we are going to end up destroying ourselves."

DAVID NICHOLSON-LORD
● *Earth in Mind* is published by Island Press, Washington DC, and is available in the UK through the Schumacher Book Service (01803 865051).

From both sides of the Channel, two views of the growing worries about falling standards

Letter-writing used to be a cornerstone of English lessons because it is the one practical form of writing that everyone needs. As W.H. Auden put it: "Letters of thanks, letters from banks, letters of joy from the girl and the boy."

Receipted bills and invitations to inspect new stock or visit relations...

Yet letter-writing hardly gets a mention in the national curriculum or the new English GCSE syllabuses. And before anyone says that letters are no longer "relevant" to young people growing up in a world dominated by phones, faxes, modems and the Internet, let me point out that Royal Mail still delivers 60 million letters every day. But the standard of these missives sinks ever lower — because basic epistolary skills are not being properly taught at school level. Dreadful, badly spelt, ungrammatical, unclear, verbose communications seem to land daily on the mat.

"Mr Fitzwilliam and myself are concerned..." (sic) began an unpromising communication from a local company last week. Then there are those who fail to spell my address or name correctly, or set it out inappropriately. An increasing number of typed letters now arrive unsigned. And why on earth do we still see those meaningless formulaic phrases such as "assuring you of our best intentions at all times"?

I have recently tutored a woman in her twenties holding quite a senior post in a local government office. She was, when she first came to me for help, desperately concerned about the quality of her outgoing letters with good reason. Eventually she learnt to write politely what needed

The lost art of letters

to be said in straightforward, succinct sentences. Why had she not been taught this in her 11 years at school?

Every school-leaver should know how to write a letter of application, either word-processed or handwritten. It is a very competitive world and a shoddily written letter costs



Susan Elkin

many an applicant dear. It is scandalous that so few young people seem to be equipped with this vital skill by their schooling.

Then there are social conventions. When my younger son was about eight I wrote to his teacher to explain an absence. I used fountain pen and my usual cream notepad with matching envelope. It became a family joke for ever after that Mr Rutter put my letter in his "art folder". What an indictment!

I suppose he was far more

accustomed to children bringing to school roughly torn quarter pages from memo pads bearing a few misspelt, scribbled words. Don't we owe it to young people to teach them so they won't be stigmatised as "ignorant" in adult life because their education has sold them short?

We all need to write letters of complaint (and occasionally of congratulation) to manufacturers, retailers, service providers and so on. How much more likely you are to get what you want if you can write a firm and persuasive, educated letter.

It goes without saying that thank you letters are important. And am I the only person left in the world who thinks letters of condolence matter? Commercial cards are miserably banal and trite. We should all, surely, be able to write a few words of sympathy to a bereaved relative, friend or acquaintance in the form of a letter.

Personal or quasi-personal letters which open with "Hi! How are you?" instead of "Thank you for your letter" grate too. A chatty communication from a GCSE pupil to whom I once taught English for a few months arrived this week: "Sorry I haven't wrote to you for along time," she starts, and later with unconscious irony: "They think I'll get E in English if you was still my English teacher I would of got A" (only joking ha ha ha).

The national curriculum requires that handwriting be taught. English lessons must include focus on clarity of expression, conventional grammatical forms, choice of suitable language for purpose and how to write for different "audiences". What better way to do all of this than to teach letter-writing systematically and thoroughly?

SUSAN ELKIN

France also suffers

stimulating interest at an early age through a more varied programme. They believe the long school day (8.30am to 4.30pm even at primary level) is counter-productive. Francis Bayrou, the Education Minister, has proposed some sweeping modifications. From next September, for



Low reading levels worry the French

example, 200 regions will offer a five-day programme split between academic morning lessons and recreational afternoon activities. The programme is aimed at areas of higher unemployment and social problems.

A pilot scheme on this theme has been in operation since 1989 at Epinal, the town of Philippe Seguin, head of the National Assembly. About 1,300 of the 4,000 primary children in Epinal work in the morning only with a choice of 74 activities to practise in the

afternoon. The summer holiday has been reduced by 15 days, coinciding with an average one hour less schoolday.

But other projects introduced this year have met some resistance. The aim to stimulate greater interest in teaching the three Rs has been well accepted, unlike M. Bayrou's voluntary 15 minutes a day of English.

The scheme for about 400,000 audio video cassettes in English distributed among 2,746 second-year primary classes, has only a 50 per cent acceptance rate, chiefly through lack of qualified English-speaking teachers and union objections to changes in the programme.

While some regions are opting for the split school formula, others have voted to reduce the school week from 4½ to four days. Entry to the école maternelle is to be reduced from 2½ years 9 months to 2½ years next September in the belief that group participation between two and three-year-olds stimulates speaking and later reading ability.

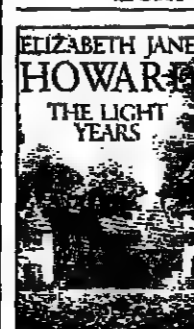
M. Bayrou is expected to give further details of plans on educational reforms by the middle of June.

However, those living near Belgium, in the Nord-Pas-de-Calais region, have opted for a different solution. About 10,000 students over the age of 12 study across the border, a figure that has doubled in the past nine years, while only 350 travel in the opposite direction. This is primarily due to the pupil-tutor ratio of 15.2, as against 20.3 in France. Belgium also offers more diversity in the technical, professional and artistic subjects.

JOHN GILMORE

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Application forms and further particulars are available from Personnel Services, University of Aberdeen, Regent Walk, Aberdeen AB9 1FX, telephone (01224) 272727 quoting appropriate reference number. A 24-hour answering service is in operation.

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UNIVERSITY APPOINTMENTS



UNIVERSITY OF OXFORD

Directorship of the Ashmolean Museum

The election is intended to proceed to an election to the Directorship of the Ashmolean Museum with effect from 1 October 1997. The stipend of the directorship is at present £20,000 per annum.

A non-salaried professional fellowship at Worcester College is attached to the directorship.

Applications (ten copies, or one only from overseas candidates, naming three referees, should be received not later than 1 July 1996 by the Registrar, University Offices, Wellington Square, Oxford OX1 2JD, from whom further particulars may be obtained.

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Natural wonders leave us lost for words

The onus on explorers to provide grand names for their discoveries sometimes — obviously — wore them out. They should have taken heed of the Almighty, because after God had named the first batch of animals, he locked the paddock and then forbade Man to leave Eden until he'd worked out names for Hyde Park and Kew Gardens. It's hard to keep thinking up appellations. The number of places called "Cook" in the South Pacific testifies to that.

"What shall we call this one, Capt'n?" said an eager, gap-toothed lieutenant every half hour of the voyage, pointing landwards with a quill pen.

"Oh not again," replied the great captain, wearily sucking his telescope.


"What's today?" The sailor consulted a well-thumbed almanac.

"It's Shakespeare's birthday (attribution), sir."

"Mm. Well, call it Attrib Island, then. Why do I have to do everything?"

Still, those native people who object to their land being named Queen Charlotte Sound, or Mount Cook, or Easter Monday Island are lucky that the majority of the naming was done 200 years ago. Because in last night's *Wildlife on One: Lost Lakes of the Pacific* (BBC1, not Scotland) it transpired that the craft is lost. A set of unique and amazing "marine lakes" is being explored by an American scientist called Larry, who seems to be too modest to name everything after himself. Sapphire blue from the air, and set amid the densely vegetated emerald islands of Palau, these lakes have trapped marine life in salt water and changed it into new forms. Ghostly jellyfish swim languorously upside down, and the water is opaque and soupy, with vivid bands of colour. One of these lakes has acquired a

REVIEW



Lynne Truss

And best of all, it eschews the word "Euro", which research has shown can reduce quite lively British people instantly to a pulsating mindless state not unlike an upside-down jellyfish with no hope of the open sea.

For the first 15 minutes of last night's first episode, uptempo foreign diplomats recalled postwar British Prime Ministers infallibly making the wrong choices about

European unity, and it was honest — a bit boring. But it picked up. There was unfamiliar footage of Brussels and Rome, and a wry commentary from Michael Elliott. Basically, it was a cautionary tale about being too snooty to join in the first place, and then paying the consequences. You don't snub a French bruiser like General de Gaulle, for example, and get away with it.

You remember that big pea called Cannon Ball in the old frozen pea commercials? It came bouncing along late, and wasn't allowed into the packet? The story of *The Poisoned Chalice* was exactly like that, down to all the little continental peas giggling and thumbing their noses safely inside. "Ne pleurez pas, m'lord," de Gaulle told Macmillan gleefully (quoting Plaf), sending him away with a flea in his ear. Last night's title, *A Kind of Betrayal*, referred to a key meeting in January 1963

between Edward Heath and Maurice Couve de Murville — a meeting at which the Frenchman said encouraging things and failed to mention that de Gaulle would veto Britain's application in two days' time. The veto was a national humiliation, but there was nothing we could do about it. As Elliott saucily remarked: "The British did not take de Gaulle's veto lying down. They cancelled a visit to Paris by Princess Margaret."

I can't make up my mind about *Airport* (BBC1), but the visit of President Clinton through Heathrow last night was a good interlude. The President (who remains lakeless, I believe) arrived in one aircraft, walked along some red carpet, and left again in three minutes. According to Anita (official VIP greeter), the visit had taken six months to prepare. She said her job was to make it look easy — like a swan gliding on water, while paddling like mad underneath. It is unusual for real people on television to employ striking similes of this kind. In the down-to-earth world of ground-staff, it was especially surprising.

My uncertainty about *Airport* is that I don't know whose side I'm on. The public are always whingeing: at Customs, they are obstructive; the officials are continually accused of racism. But having been a passenger all my life, I can sympathise with the frustration of exhausted people held in conditions tantamount to mental torture. The cheerful PC featured in the series — Dave — is apt to tip back his helmet in times of crisis, and offer the benefit of his experience, which is infallibly true. "You see, the problem is that there is never an easy answer," he tells stranded, tired passengers. Which makes me personally so irritated that I want to knock off his helmet and scream.

- 6.00am Business Breakfast** (27584)
6.00am BBC Breakfast News (58855)
6.00am Breakfast News Extra (Ceefax) (4526855)
6.20am Can't Cook, Won't Cook (s) (7702316)
6.45am Kilroy (s) (6039565)
10.30am Good Morning with Anne and Nick (s) (72251)
12.00am News (Ceefax) regional news and weather (1949126)
12.05pm Going for a Song (s) (5254858)
12.35pm Going for Gold General knowledge quiz presented by the irrepressible Henry Kelly (s) (4671478)
1.00pm One O'Clock News (Ceefax) and weather (51942)
1.30pm Regional News and weather (62851652)
1.40pm Neighbours (Ceefax) (s) (63938565)
2.00pm Moon over Miami (Ceefax) (s) (7134842)
2.50pm Today's Gourmet Swordfish (s) (6705403)
3.15pm Secret Life of Toys (s) (2653882)
3.30pm Playhouse (s) (6833337)
3.50pm Marmalade Café (s) (6833337)
4.05pm Casper (s) (6833337)
4.10pm Little Mouse on the Prairie (Ceefax) (s) (5040358)
4.35pm Clarissa Explains It All (s) (Ceefax) (s) (2997842)
5.00pm Newsworld (Ceefax) (7429774)
5.10pm Blue Peter (Ceefax) (s) (6298381)
5.35pm Neighbours Hannah becomes a fashion victim while Cheryl and Angie suffer for their sport (s) (Ceefax) (s) (281010)
6.00pm Six O'Clock News (Ceefax) (923)
6.30pm Regional News (Ceefax) (403)
7.00pm Wipeout Paul Daniels hosts the game show (Ceefax) (s) (1861)
7.00pm Don't Look Back (1981)
7.30pm Tomorrow's World (Ceefax) (s) (687)
8.00pm Only Fools and Horses: A Loving Struggle With David Jason and Nicholas Lyndhurst (s) (Ceefax) (4381)
8.30pm Big Break Jim Davidson hosts the snooker game show. This week's experts are Dennis Taylor, David Rea and Jason Ferguson. Trick shot master John Virgo keeps order as usual (Ceefax) (s) (8316)
9.00pm Nine O'Clock News (Ceefax) regional news and weather (4318)
9.30pm 999 Michael Buerk and Juliet Morris present stories of heroism and bravery. This week, a seaman's catalogue of errors that led to disaster on a sandbank 12 miles off the Essex coast, and the woman who fell like Superman when she came to the rescue of footballer Steve Nicol (Ceefax) (s) (880045)
10.30pm FILM: Mad Max (1979) Fantasy adventure which made a star of Mel Gibson. In the desolate near future, after the breakdown of law and order, the Mad Max Force Patrol pursue the vicious motorcycle gang who roam the wastelands, attacking what is left of civilisation. Directed by George Miller (Ceefax) (1922126)
11.50pm FILM: Psycho (1980, b/w) with Anthony Perkins and Janet Leigh. Classic black and white suspense thriller, directed by Alfred Hitchcock (Ceefax) (1938228)
1.35am Weather (3281695)

- 6.00am Open University**
7.15pm See Hear Breakfast News (4611584)
7.30pm Teenage Mutant Hero Turtles (s) (Ceefax) (39720) 8.00 *The Really Wild World* (s) (7435590) 8.25 *The Little Polar Bear* (s) (2930768) 8.30 *William's Wish Wellingtons* (s) (7175584)
8.40pm The Record (s) (8831555)
9.05pm Daytime on Two: Job Bank (9013861)
9.15pm Teaching Today (355829) 9.45 *Watch* (5763213) 10.00 *Playdays* (19478) 10.30 *Cartoon Eyes* (2452213) 10.45 *Cosmo and Dibs in Junior* (2487768) 11.00 *Look and Read* (3945590) 11.20 *English Time* (9451126) 11.40 *The RE Collection* (796478) 12.00 *English File: Death of a Salesman* (16294) 12.30pm *Working Lunch* (44555) 1.00 *Shakespeare: The Animated Tales* (55554) 1.30 *Shakespeare* (55554) 1.45 *Words and Pictures* (62941229) **WALEs**: 1.55-3.55 *Welsh Language Conference* (8213140)
2.00pm The Little Polar Bear (s) (4159203)
2.05pm William's Wish Wellingtons (s) (41594010) 2.10 *Open View* (4159519) 2.15 *Global Warming* (41571590)
2.20pm FILM: Wojtyla — Out of the Fire (1992). Refugee drama with John Vernon. Directed by George Bloomfield (832687)
4.00pm Today's the Day (s) (318)
4.30pm Ready, Steady, Cook (s) (300)
5.00pm Esther (s) (3039)
5.30pm The Wildlife Kitchen and Garden (s) (Ceefax) (652)
6.00pm Shooting Stars Spoof quiz (s) (Ceefax) (s) (565) **WALEs**: The Transatlantic Sessions (565)
6.30pm The Champions Fantasy espionage series (s) (Ceefax) (232381) **WALEs**: 6.30 *Watch Out* (777213) **6.40-8.30pm** *Sorum 5 Live: Pontypridd v Cardiff* (73939132)
7.20pm Watch Out Wildlife news (s) (872949)
7.30pm The Transatlantic Sessions Folk and country music (Ceefax) (s) (229)
8.00pm Top Gear Motorsport (Ceefax) (s) (223)
8.30pm Gardeners' World (Ceefax) (s) (4858)

CHOICE

Tomorrow's World
BBC1, 7.30pm
 A robotic vacuum cleaner had to come and *Tomorrow's World*, ever on the alert for opportunities to bring science into the living room, is the perfect place to demonstrate it. The task falls to Philippa Forrester, though she has to be careful not to let us know she has to do it. It's a commentary. Combining a radar system with an on-board computer, this dream appliance steers itself around a room, sucking up the dirt and avoiding the furniture. But it is only a prototype and *Tomorrow's World* has been known to get excited about inventions that are never heard of again. Let us hope that this is not true of an unlikely treatment for blood clots developed by a Mexican biochemist. He has found something in the saliva of the vampire bat which can dissolve clots without causing a haemorrhage.

Garden Party
Channel 4, 8.00pm
 Too many gardening programmes on television concentrate on the best and ignore the reality for so many of us of lousy soil and invasive weeds. By allowing amateur gardeners to put their problems to the experts, *Garden Party* is filling a gap (though radio buffs will point out that *Gardeners' Question Time* has been doing much the same thing since 1947). Programme two comes from Dorset and takes amateur and professional to Ivy Cottage, north of Dorchester, which is notable for its unusual perennials, moisture-loving plants and trees and shrubs. The psychiatrist turned horticulturalist Tom Barber is joined by Carol Klein, a specialist in rare plants, and David Jones, who is in charge of parks and gardens for the Corporation of London. Video diaries continue to provide a check on how the experts' advice is working out.

Expert Witness: A Family Man
ITV, 8.30pm (Granada region, May 17)
 Michael Gambon presents another reconstructed true murder case in which the crime-solver turns out to be not a dogged detective but a man in a white coat. A motorist who has stopped in a Derbyshire layby is robbed, shot and left for dead. It does not take the police long to find the culprit. One offender helpfully supplies the names and another passes on information about the whereabouts of the murder weapon. If only it was always that easy, you might think. But it is still up to the forensic expert to tease out the vital evidence that will connect the men with the crime. The ease with which he does so tends to rob the story of suspense. But it is reassuring to know that while the national clear-up rate for crime is modest, there are notable successes.

Murder Most Horrid: Girl Friday
BBC2, 9.00pm
 Dawn French returns to display her comic talents in six more improbable tales of the macabre. This is the third series of *Murder Most Horrid* and if tonight's script by Paul Smith is a shade below the best, French's exuberance as usual wins through. She plays Sally, one of those super secretaries, sorry, personal assistants, who is so efficient that she has done her boss's Christmas cards by June. But a fondness for a lunchtime drink or several, means that by the afternoon she is not only pley-eyed but liable to be embarrassingly indiscreet. When her boss (Nigel Havers) is questioned by the police about the death of his wife, the resourceful Sally prepares the perfect alibi for him and then underlines it by saying all the wrong things. The final twist is as unexpected and worth waiting for.

Peter Waymark

6.00am GMTV (8769518)
9.25pm Supermarket Sweep (s) (7814107)
9.55pm Regional News (Teletext) (2271768)
10.00pm The Time... the Place (s) (689045)
10.35pm This Morning (50848039)
12.20pm Regional News (Teletext) (1938010)
12.30pm ITN Lunchtime News and weather (Teletext) (4763403)
12.55pm Entertainment Today (s) (4675294)
1.25pm Liz Earle's Lifestyle (s) (1064045)
2.00pm Home and Away (Teletext) (s) (1959587)
2.25pm Murder, She Wrote: For Whom the Bells Toll (s) (7139497)
3.20pm ITN News headlines (Teletext) (7983942)
3.25pm Regional News (Teletext) (7982213)
3.30pm Role and Jim (s) (5287215)
3.45pm The Treacle People (s) (1329555)
3.55pm Bimble's Bucket (s) (1590756)
4.25pm The Gulls (s) (5850361)
4.50pm Hang on (s) (939010)
5.10pm A Country Practice (s) (8588855)
5.40pm ITN News and weather (Teletext) (803881)
6.00pm Home and Away Fin asks Irene to be the surrogate mother of her child and Steven and Selina realise they are falling in love (s) (Teletext) (s) (287655)
6.25pm Regional News (Teletext) (445768)
7.00pm Bruce Forsyth's Play Your Cards Right (Teletext) (s) (3229)



Gregson and Lawson (7.30pm)

7.30pm Coronation Street Jim (Charles Lawson) has advice for his wayward son Steve (Simon Gregson) (Teletext) (855)
8.00pm The Bill: Rollover When an informer tries to buck the system, Deskin comes down hard and gets an unexpected result (Teletext) (8749)
8.30pm Expert Witness: A Family Man (27) (Teletext) (s) (8554)
9.00pm Soldier, Soldier: Disintegration Paddy Garvey's new status as a lonely bachelor seems to have taken him to the better when he encounters Christine Meisner (s) (Teletext) (s) (4855)
10.00pm ITN News at Ten and weather (Teletext) (11749)
10.30pm ITN News headlines (563381)
10.40pm FILM: Say Anything (1989) With John Cusack and Lili Fini Zanuck. Teenage romantic comedy. Directed by Cameron Crowe (29048792)
12.35pm Hotel Babylon (s) (881782)
1.15pm The Good Sex Guide... Late (s) (229)
2.15pm FILM: In Search of a Golden Sky (1984) with Charles Napier. An uncle fights to keep his orphaned nephews and nieces. Directed by Jefferson Richard (536458)
4.00pm Not Fade Away (s) (78614)
5.00pm The Love Side (17189)
5.30pm ITN Morning News (85850). Ends at 6.00

As HTV WEST except:
6.25pm-7.00pm Wales Tonight (445768)
10.40pm Wales This Week (360720)
11.10pm Film: Frankenstein Unbound (888497)

WEST COUNTRY

As HTV West except:
12.55pm Coronation Street (4675294)
1.25pm-1.55pm Cross Wits (31348497)
1.55pm Home and Away (36613010)
2.25pm High Road (19932958)
2.55pm-3.20pm Gardeners' Diary (8828942)
5.10pm Home and Away (8658855)
6.00pm-7.00pm Westcountry Live (48010)
10.30pm Westcountry News (850681)
10.45pm Film: Enter the Dragon (14193841)

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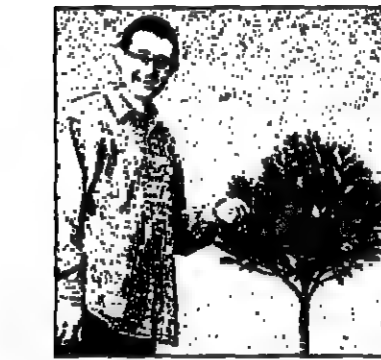
As HTV West except:
12.55pm Home and Away (4675294)
1.25pm Cross Wits (31348497)
1.55pm-2.20pm A Country Practice (89383768)
2.20pm-3.20pm Murder, She Wrote (8238905)
3.10pm Shortland Street (9585855)
5.40pm-6.00pm ITN Early Evening News: Weekend Weather (803881)
6.25pm-7.00pm Central News and Weather (445768)
10.40pm Film: Blue Thunder (75126809)
12.40pm Hotel Babylon (881782)
1.20pm The Good Sex Guide... Late (2585985)
2.20pm The Chart Show (7713324)
3.15pm Dear Nick (8057508)
4.10pm Jolifinder (8948257)
5.20pm Asian Eye (3182256)

MERIDIAN

As HTV West except:
12.55pm Coronation Street (4675294)
1.25pm Home and Away (31348497)
1.55pm-2.20pm Shortland Street (9585855)
2.20pm Murder, She Wrote (7130126)
3.15pm-3.20pm Three Minutes - Your Story (7068229)
5.10pm Home and Away (8658855)
5.37pm Three Minutes - Your Story (523836)
5.40pm ITN Early Evening News: Weekend Weather (803881)
6.00pm-7.00pm Meridian Tonight (48010)
10.30pm Meridian News and Weather (850681)
10.45pm Only a Gannet (424852)
11.15pm Hurdler (431788)
12.10pm Music Box Profile (3675782)
8.00pm Prescreen (17169)

Starts: 6.35pm The Wonderful Wizard of Oz (5300516) 7.00 *The Big Breakfast* (41565) 8.00 *The Pink Panther* (7708590) 9.25 *Wild India* (40363) 12.00 *Sesame Street* (58768) 1.00pm *Spot Meltham* (44652) 1.30 *Film: Week and Wicked* (9159768) 3.05 *Film: An Inspector Calls* (9185194) 4.30 *An Inspector Calls* (9185194) 5.30 *Pumpkin Patch* (8107) 5.30 *Film: The Good Sex Guide... Late* (2585985) 6.00 *Newyddion* (84397) 6.15 *Heno* (250132) 7.00 *Pobol Y Cwm* (555565) 7.25 *Jwll Jwll* (723478) 8.00 *Chw Garddio* (9949) 8.30 *Newyddion* (6128) 9.00 *Y Rhylf Rhwyg* (718213) 9.50 *Britannica* (343929) 10.00 *Brookside* (15515) 10.30 *Rory Scollins* (6002) 10.50 *Entertainment* (85826) 2.30 *Bob Fosse* (434852) 3.30 *Weekend Review* (443058) 9.00 *Ten of the Best: The Movie* (877774) 10.00 *Ten of the Best* (877085) 12.00 *2.00am and Around* (846087) 12.00-2.00am *The Nightly News* (421136) *Dawn Patrol*

6.35pm The Wonderful Wizard of Oz (s) (5300516)
7.00pm The Big Breakfast (41565)
8.00pm The Pink Panther (s) (7708590)
9.25pm FILM: Once Upon a Time (1944, b/w) starring Cary Grant as a Broadway producer in need of money, who sees his financial salvation in a dancing catamite. Directed by Alexander Hall (43161045)
11.00pm Wild India Animal sanctuaries (s) (Teletext) (s) (40838)
12.00pm Garden Party (s) (Teletext) (s) (68990)
12.30pm Sesame Street (s) (37478) 1.30 *Alfred J. Kwak* (s) (30708881) 1.55 *Reinhardt* (5817878)
2.00pm FILM: A Woman's Face (1941, b/w). Classic melodrama, starring Joan Crawford. Directed by George Cukor (Teletext) (1768)
4.00pm Australia Wild (Teletext) (584)
4.30pm Finsen to One (Teletext) (s) (768)
5.00pm Rescue (s) (Teletext) (s) (8107)
5.30pm An Inspector Calls Car Capers (s) (Teletext) (s) (720)
6.00pm Hangin' with Mr Cooper: It's a Matter of Principle (s) (Teletext) (s) (285497)
6.25pm Happy Days (s) (Teletext) (362010)
6.50pm Terrytoons followed by Murrin Buchtanasamgar (855045)
7.00pm Channel 4 News and weather (Teletext) (563923)
7.55pm Book Choice Jonathan Keats reviews *An Italian Education* by Tim Parks (Teletext) (s) (868774)



Tom Barber is put to the test (8.00pm)

8.00pm [CHOICE] Garden Party (Teletext) (6949)
8.30pm Brookside (Teletext) (s) (6126)
9.00pm Cybill American sitcom starring Cybill Shepherd (Teletext) (s) (4126)
9.30pm Father Ted: Flight into Terror Last in the series. Flying back from a visit to a holy shrine, the priestly trio find themselves in mortal danger. With Ardal O'Hanlon, Dermot Morgan and Frank Kelly (Teletext) (s) (59497)
10.00pm Rosamunde (Teletext) (s) (15519)
10.30pm Hory Bremner — Who Else? More political, satirical impressions. With John Fortune and John End (s) (388855)
11.00pm Eurotrash presented by Jean Paul Gaultier and Antoine de Caunes (s) (s) (928294)
11.40pm Flava (5/6) Videos by some of the most popular black music-makers of today (s) (705498)
12.15pm FILM: Hollywood Shuffle (1987). A black satire starring Anne-Marie Johnson and Starletta Dupois. Directed by Robert Townsend. (889888)
1.45pm FILM: The Body Stealers (1989). Starring George Sanders as a NATO official confronted with the bizarre disappearance of perestroikas in mid-desert. Directed by Gerry Levy (543053). Ends at 3.20am

For more comprehensive listings of satellite and cable channels, see the Vision supplement, published Saturday

SKY ONE

7.00am News (56771) 8.30 *What-A-Mess* (50552) 9.00 *Press Your Luck* (7718823) 9.30 *Love Connection* (9817599) 9.55 *The Jeopardy!* (501885) 10.00 *Salvo* (501885) 10.30 *Whitney Show* (87294) 11.00 *Cartoon Eyes* (2452213) 11.30 *Cartoon Eyes* (2452213) 11.50 *Cartoon Eyes* (2452213) 12.00 *Cartoon Eyes* (2452213) 12.30 *Cartoon Eyes* (2452213) 1.00 *Cartoon Eyes* (2452213) 1.30 *Cartoon Eyes* (2452213) 1.50 *Cartoon Eyes* (2452213) 2.00 *Cartoon Eyes* (2452213) 2.30 *Cartoon Eyes* (2452213) 2.50 *Cartoon Eyes* (2452213) 3.00 *Cartoon Eyes* (2452213) 3.30 *Cartoon Eyes* (2452213) 3.50 *Cartoon Eyes* (2452213) 4.00 *Cartoon Eyes* (2452213) 4.30 *Cartoon Eyes* (2452213) 4.50 *Cartoon Eyes* (2452213) 5.00 *Cartoon Eyes* (2452213) 5.30 *Cartoon Eyes* (2452213) 5.50 *Cartoon Eyes* (2452213) 6.00 *Cartoon Eyes* (2452213) 6.30 *Cartoon Eyes* (2452213) 6.50 *Cartoon Eyes* (2452213) 7.00 *Cartoon Eyes* (2452213) 7.30 *Cartoon Eyes* (2452213) 7.50 *Cartoon Eyes* (2452213) 8.00 *Cartoon Eyes* (2452213) 8.30 *Cartoon Eyes* (2452213) 8.50 *Cartoon Eyes* (2452213) 9.00 *Cartoon Eyes* (2452213) 9.30 *Cartoon Eyes* (2452213) 9.50 *Cartoon Eyes* (2452213) 10.00 *Cartoon Eyes* (2452213) 10.30 *Cartoon Eyes* (2452213) 10.50 *Cartoon Eyes* (2452213) 11.00 *Cartoon Eyes* (2452213) 11.30 *Cartoon Eyes* (2452213) 11.50 *Cartoon Eyes* (2452213) 12.00 *Cartoon Eyes* (2452213) 12.30 *Cartoon Eyes* (2452213) 12.50 *Cartoon Eyes* (2452213) 1.00 *Cartoon Eyes* (2452213) 1.30 *Cartoon Eyes* (2452213) 1.50 *Cartoon Eyes* (2452213) 2.00 *Cartoon Eyes* (2452213) 2.30 *Cartoon Eyes* (2452213) 2.50 *Cartoon Eyes* (2452213) 3.00 *Cartoon Eyes* (2452213) 3.30 *Cartoon Eyes* (2452213) 3.50 *Cartoon Eyes* (2452213) 4.00 *Cartoon Eyes* (2452213) 4.30 *Cartoon Eyes* (2452213) 4.50 *Cartoon Eyes* (2452213) 5.00 *Cartoon Eyes* (2452213) 5.30 *Cartoon Eyes* (2452213) 5.50 *Cartoon Eyes* (2452213) 6.00 *Cartoon Eyes* (2452213) 6.30 *Cartoon Eyes* (2452213) 6.50 *Cartoon Eyes* (2452213) 7.00 *Cartoon Eyes* (2452213) 7.30 *Cartoon Eyes* (2452213) 7.50 *Cartoon Eyes* (2452213) 8.00 *Cartoon Eyes* (2452213) 8.30 *Cartoon Eyes* (2452213) 8.50 *Cartoon Eyes* (2452213) 9.00 *Cartoon Eyes* (2452213) 9.30 *Cartoon Eyes* (2452213) 9.50 *Cartoon Eyes* (2452213) 10.00 *Cartoon Eyes* (2452213) 10.30 *Cartoon Eyes* (2452213) 10.50 *Cartoon Eyes* (2452213) 11.00 *Cartoon Eyes* (2452213) 11.30 *Cartoon Eyes* (2452213) 11.50 *Cartoon Eyes* (2452213) 12.00 *Cartoon Eyes* (2452213) 12.30 *Cartoon Eyes* (2452213) 12.50 *Cartoon Eyes* (2452213) 1.00 *Cartoon Eyes* (2452213) 1.30 *Cartoon Eyes* (2452213) 1.50 *Cartoon Eyes* (2452213) 2.00 *Cartoon Eyes* (2452213) 2.30 *Cartoon Eyes* (2452213) 2.50 *Cartoon Eyes* (2452213) 3.00 *Cartoon Eyes* (2452213) 3.30 *Cartoon Eyes* (2452213) 3.50 *Cartoon Eyes* (2452213) 4.00 *Cartoon Eyes* (2452213) 4.30 *Cartoon Eyes* (2452213) 4.50 *Cartoon Eyes* (2452213) 5.00 *Cartoon Eyes* (2452213) 5.30 *Cartoon Eyes* (2452213) 5.50 *Cartoon Eyes* (2452213) 6.00 *Cartoon Eyes* (2452213) 6.30 *Cartoon Eyes* (2452213) 6.50 *Cartoon Eyes* (2452213) 7.00 *Cartoon Eyes* (2452213) 7.30 *Cartoon Eyes* (2452213) 7.50 *Cartoon Eyes* (2452213) 8.00 *Cartoon Eyes* (2452213) 8.30 *Cartoon Eyes* (2452213) 8.50 *Cartoon Eyes* (2452213) 9.00 *Cartoon Eyes* (2452213) 9.30 *Cartoon Eyes* (2452213) 9.50 *Cartoon Eyes* (2452213) 10.00 *Cartoon Eyes* (2452213) 10.30 *Cartoon Eyes* (2452213) 10.50 *Cartoon Eyes* (2452213) 1

South Africa plunges into economic gloom

SOUTH AFRICA'S new Constitution has been launched in a mixture of celebration, euphoria, and a political and financial crisis.

The news that F.W. de Klerk's National Party had decided to withdraw from the Government of National Unity, and the likelihood that this would also mean the withdrawal of Chief Mangosuthu Buthe's Inkatha Freedom Party, hit all South African markets hard yesterday. Equities, bonds and the rand plummeted.

The currency, which had fallen more than 20 per cent in the past two months, had dropped in value from 4.38 to the dollar to 4.49 on the rumour that the National Party might leave the Government, and fell further, to 4.54, once the move was confirmed.

The mood in the market, which fell 103.3 points yesterday, was one of utter despondency. This week it has had to absorb the spectacle of the Government backing a national strike against itself, a complete cave-in to trade union demands on the Constitution and the surprise resignation of the chief civil servant in the Finance Ministry weeks after the minister had quit.

Even last week's interest rate increase, which has given South Africa the highest real interest rates in the world, has failed to save the currency. The mortgage rate is now running at 18.25 per cent. "It's panic," one dealer said. "No one wants to invest in a failing currency and country."

The National Party's move took many by surprise, coming straight after its vote in favour of the new Constitution. However, the party and the liberal Democratic Party failed in the constitutional negotiations to secure protection for their key constituencies. The African National

R. W. Johnson analyses the political and financial crisis that has developed as the Mandela Government celebrates the new South African Constitution

Congress has rejected a clause guaranteeing property rights. It has struck out a clause giving employers and workers equal rights in industrial disputes, and has allowed only the weakest of face-saving formulas over single-language schools.

In addition, all the National Party's attempts to gain some guarantee of future power-sharing have been cast aside by the ANC in favour of simple majority rule.

Ultimately, the National Party's negotiators advised their caucus to vote for the Constitution simply to keep the few crumbs of comfort they had gained — for if the party had voted against, the ANC had threatened to ram through by a divisive and probably violent referendum a constitution which would have removed even the slight concessions it had made to minorities. The National Party took

what little it could get and then decided to get out.

The prospect of the ANC running the Government on its own is likely to lead to despondency not only in the market, which is extremely unimpressed by ANC ministers, but among the white, Indian and Coloured minorities. Moreover, Inkatha's probable exit from the Government could well see a further flare-up of violence in KwaZulu/Natal.

There is considerable public nervousness as homeowners watch the value of their assets plummet with the currency. White emigration, already at near record levels, is likely to rise. It seems likely, too, that the regional coalition governments which rule the nine provinces could now also collapse.

The National Party's decision may well have been based on the fact that the previous

fall in the rand was likely to produce a ripple of rising inflation, strikes, lower investment and thus lower growth. In addition, it is possible that the party has decided the Government needs to be taught some hard lessons by the market and is hoping that the ANC will ultimately have to beg it to return on better terms.

Trevor Manuel, the inexperienced new Finance Minister, faces a baptism of fire. When the currency first passed the benchmark of four to the dollar, he ridiculed "this amorphous thing called the market" and promised that "speculators will lose their shirts" as the rand rose again.

In the event, it is Mr Manuel who has lost his shirt and worse could be ahead. In April alone, the country's foreign reserves fell by 37.6 per cent, leaving only £1.73 billion. The last nine days will have wiped this out and there is now no prospect that the Government can get through May without help. Thus the possibility looms that the first act of the one-party ANC Government will have to be to throw the country on the mercy of the International Monetary Fund that it hates so much.

President Mandela has cut a strange figure these past few days, laughing, celebrating, and transparently out of touch with the national crisis. Having tried desperately to keep the National Party in the Government, he has now claimed that its withdrawal "could strengthen South Africa".

The country's media are full of euphoria about the Constitution and congratulations are pouring in from foreign governments at the same time that the markets are delivering a thunderous vote of no-confidence.



F. W. de Klerk announces in Cape Town yesterday that his National Party is to leave the Government

Mandela woos investors

Cape Town: President Mandela yesterday assured business leaders and investors that South Africa had a bright future reaching far beyond his own lifetime.

"There will be life after Mandela," the 77-year-old President told a breakfast news conference at the Press Club to mark the adoption of the country's new constitution on Wednesday. He told the journalists that his party, the African National Congress, had plenty of young talent that "in many respects

stands head and shoulders above Mandela".

"Ministers are showing new confidence, plans are falling into place, programmes are unfolding," he said, adding that, since leaving prison in 1990, "I have treated business as a major partner".

Over the past two days Mr Mandela has pushed a particular message: there will be no black-against-white politics on the part of the ANC. The goal was consensus, not winners and losers, he said.

Tasmania tragedy boosts Howard

FROM ROBERT MANNING IN SYDNEY

JOHN HOWARD, Australia's Prime Minister, whose Liberal-National Party coalition was swept to victory two months ago, is enjoying the sort of honeymoon most politicians only dream of. Given such a huge mandate by the electorate after 13 years of Labor rule, the Liberal leader might have been tempted to sit back. But the massacre in Tasmania 12 days ago has shown Mr Howard to be a tough and uncompromising leader with an emotional side to his character that few would have believed possible a couple of weeks ago.

Television coverage of him comforting relatives and emergency workers at the Hobart memorial service for the 35 victims of the Port Arthur shootings have added to his stature.

It was therefore no surprise that an opinion poll published in the Sydney Morning Herald this week claimed he was the most admired Liberal Prime Minister in three decades.

The survey gave him an approval rating of 62 per cent, with only 18 per cent disapproving of his performance. The figure is the same as that enjoyed by Gough Whitlam in the heady days of Labor's 1972 victory and almost as high as the rating enjoyed by Bob Hawke after he became Prime Minister in 1983.

Mr Howard's popularity has increased since he came to power, with the gap between his approval and disapproval ratings surging from four to 41 points.

It is a measure of his resolve and a reflection of the electorate's mood that Australia could soon have the most draconian anti-gun laws in the world. Today the Prime Minister will host a summit of state police ministers to discuss a complete ban on automatic and semi-automatic firearms. Mr Howard says the ban is non-negotiable.

Hezbollah bomb ends border truce

FROM CHRISTOPHER WALKER IN JERUSALEM

SOUNDS of heavy artillery returned to the Israel-Lebanon border region yesterday for the first time since the April 27 ceasefire as Israeli and south Lebanese gunners responded to a Hezbollah roadside bomb attack inside the Israeli-occupied buffer zone.

The renewed fighting was a grim reminder of the fragile nature of the American-negotiated ceasefire on the eve of today's first meeting in Washington of the five-nation group monitoring its operation.

The shelling, which Israel Radio said was aimed at the south Lebanese village of Jabal al-Rafaa, came after Iranian-backed Hezbollah fighters wounded two members of the

Israeli-financed South Lebanon Army — one seriously — with a booby-trapped bomb detonated as a squad was on patrol.

Although the attack, the first to cause casualties since the ceasefire, did not breach the terms of that unsigned agreement, it underscored its tenuous nature. Under terms secured after a week of diplomatic shuffling by the US Secretary of State Warren Christopher, only attacks against civilians are ruled out.

The single-page ceasefire document permits the continuation of Hezbollah attacks on Israeli targets inside the nine-mile wide "security" zone occupied by Israel since 1985

and, in turn, permits both sides the right of self-defence. Many observers — fear the whole cycle of tit-for-tat violence could begin again if civilians on either side are hit.

Local officials said that, as well as returning heavy artillery and mortar shells, Israeli warplanes mounted mock air raids on villages. Hours before the explosion, Hezbollah's military commander said the recent frontline calm was tactical, adding: "Nothing has changed with regard to the performance of the resistance."

Differences over monitoring the ceasefire have been reported by diplomatic sources in advance of today's scheduled

meeting. Syria and Lebanon reportedly want the group — which also includes Israel, the United States and France — to focus on the ceasefire's technical aspects. Israel and American want political and economic dimensions included. Israeli officials hope further meetings can be held in Cyprus.

Yesterday, Timor Goksel, spokesman for the UN peace-keeping force in south Lebanon, said the force could not function without Israeli co-operation. Israel has threatened to withdraw that co-operation after a UN report said it was unlikely the attack on the Qana UN base, which killed more than 100 civilians, was accidental.

US judge allows extradition of Hamas suspect to Israel

FROM QUENTIN LETTS IN NEW YORK

A LEADER of Hamas, the militant Palestinian organisation, lost an important battle in his fight against extradition from the United States.

A federal judge in New York ruled that Moussa Abu Marzook, a self-declared senior Hamas member, can be extradited to face trial in Israel. Mr Marzook, 45, is accused of involvement in ten bomb attacks in Israel between 1990 and 1994 which killed 47 people and injured 148.

Judge Kevin Duffy, after reading files supplied by the Israeli Government, found

"more than sufficient evidence" to show that Mr Marzook was involved in the bombings. "Probable cause exists that Marzook knew of Hamas's plan to carry out violent, murderous attacks, that he selected the leadership and supplied money to enable the attacks to take place," he said. He did not believe Mr Marzook's claim that the money he raised in America was for hospitals and schools in the Middle East.

Mr Marzook has lived in America for 14 years and was arrested last July when trying to re-enter the country after a holiday. A crucial witness against Mr Marzook was Muhammad al-Hamid Kalil-Salah, a former secondhand car dealer from Chicago and Hamas member, who said that much of the money raised at mosques in North America ended up buying weapons for Hamas gunmen.

Judge Duffy's finding was last night welcomed by Jewish American lobby groups, but Mr Marzook's representatives criticised it as political. In reality, however, months of appeals will follow before Mr Marzook boards any flight to Israel.

Voters hail Museveni as healer after tribal feuds scar Uganda

FROM SAM KILEY IN LOWERO, UGANDA

BAKIA KABEGANO sheltered from a downpour beneath the tin roof of Lowero's Kasama health centre, grinning through cracked teeth at the certainty of victory for President Museveni in yesterday's Ugandan presidential polls.

At 50, she looked well into her eighties. The agonising years of post-independence Ugandan history had been etched on her face and, with a machete, on her body. Her right index finger was missing and her legs carried the marks of panga wounds.

In Lowero, 35 miles west of the capital, Kampala, once the centre of Milton Obote's campaign against his opponents in which a million people died, voters waited patiently in a freezing rainstorm.

Mr Museveni, who drove President Obote from power in 1980 after a six-year bush war, used a picture of Mr Obote's victim's skulls piled 5ft high in Lowero's central square to drive home his warnings against a return of Mr Obote's policies in the guise of the President's main rival, Paul Ssemogerere.

Local residents — some, like

Mrs Kabegano, had walked several miles to vote — needed no cheap campaign tricks to remind them of their past.

"I am so happy to be voting. We suffered so much over the years, but for the last ten this man [Mr Museveni] has kept peace and saved us from more terror. Now we can sleep safely at night," she said. Mrs Kabegano lost four close family members during the pogroms of the early 1980s.

Criticised by the West for refusing to allow the formation of political parties for

another four years, Mr Museveni argued that Ugandans were too ill-educated and prone to tribal and religious divisions to manage Westminster-style politics. But the better educated of Lowero fully endorsed Mr Museveni's argument for consensual politics as an African, democratic alternative to a return to political parties with a bloody past.

Standing in the inadequate shelter of a pepper tree, Augustin Musunguzi, 29, a businessman who also bore

the scars of bullet wounds and a hunger-induced skin disease, said: "Since independence, we have not had the chance to participate in free and fair elections like this."

"In 1980 [when Obote was elected] we had his youth-wingers telling voters that if they didn't vote for him, they would be dead. Some were killed even before ballots had been counted. Now you can see someone who may vote another way, and leave him alone."

Mr Musunguzi is suspicious of the unofficial alliance between Dr Ssemogerere's Democratic Party and the exiled Mr Obote's Uganda People's Congress.

At the polling station one of the candidates' agents said: "We've had some serious irregularities here. Some people have come to the station wearing campaign badges for Museveni."

By African electoral standards, this did not sound like a major political scandal. But the returning officer said: "That is a very serious breach of the rules and we sent them home to take them off before they could vote."



Museveni: Uganda not ready for pluralism



Obote: a million of his opponents were killed

Mexicans go bats after vampire gets their goats

BY QUENTIN LETTS

GOAT farmers in Mexico claim that their livestock is under attack from a large, bat-like vampire bat.

The mysterious creature has been nicknamed *chupacabra* (goatsucker) after the discovery of dead goats with twin tooth marks a third of an inch apart on their necks. Local witnesses

have said that the animals have been left drained of blood.

In the southern state of Chiapas on Wednesday, 28 rams were found with the tell-tale puncture marks. The dead animals are to be studied by the Mexican-American commission for the prevention of exotic diseases. According to a Mexican Agriculture Ministry statement, the rams' blood

had been taken from their veins. Similar attacks have been reported in six other states. In Sinaloa, farmers have formed vigilante squads to watch over their goats at night. Ranchers have been in a state of disquiet and peasants are said to be in a state of fear. The goatsucking demon has entered popular song and has been hailed in lurid newspaper headlines.

There is even a *chupacabra* video game. Some government officials have sought to play down the animal deaths, however, and dismiss talk of the *chupacabra* as little more than a Mexican version of the "Beast of Bodmin", which occasionally pops up in the West Country. They suggest that the alleged vampire bat may in reality be a wolf or some form of cat.

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Rao quits as poll heralds tide of change for India

FROM CHRISTOPHER THOMAS IN DELHI

INDIA'S governing Congress Party, the commanding political force in the world's largest democracy for half a century, has been routed in a chaotic general election that left no party capable of forming a majority government.

P. V. Narasimha Rao, the Prime Minister, last night announced his intention to quit amid frantic attempts by a battery of parties to form the country's first national coalition. An emergency Cabinet meeting will be held today.

The election outcome is disastrous for a country in need of political stability to fight poverty and pursue sweeping economic reforms. It was Congress's greatest humiliation and the party may split.

The centre of gravity of the nation's politics has moved from Delhi to the states, and no single party may ever again govern the world's second most populous country. The result represents a social, caste and political upheaval, the like of which independent India has never seen.

There will now be days of backroom bargaining in which a range of potential prime ministers will be vying for position. An array of small parties will seek a role in a coalition that is likely to in-

clude the shattered remains of Congress, whose glory days are over — although Mr Rao's departure has almost certainly secured its participation in a new administration.

The Bharatiya Janata Party (BJP), which includes extremist Hindu elements, emerged as the single biggest party with a margin of dozens of MPs over Congress — a

6 The centre of gravity of the nation's politics has moved from Delhi to the states

remarkable rise from virtual obscurity a decade ago. But it will be hard-pressed to form an administration. It is a parliamentary pariah, despised for its anti-Muslim tendencies, and its only chance of gaining power is to split the Congress Party. That is improbable. The BJP donned a moderate face for the election but its record is extremist, with many of its leaders

favouring the creation of a Hindu state. The incoming administration will probably not last a full term, given India's fractious political character and inexperience with national coalitions. Congress lost around half the 260 seats it captured in 1991. The election saw the rise of regional parties and groups representing the newly assertive low castes, who comprise around 80 per cent of the population. After centuries of repression, their time seems to have come.

The immediate consequence of the election could be political chaos. Mr Rao, 74, has been the country's most mediocre leader, save for releasing the economy from its socialist shackles under International Monetary Fund pressure.

The party, dead at the grassroots and corrupt at the top, has been torn by defections and degraded by unfettered ministerial corruption. Atal Vajpayee, who led the BJP's bid for power, said during the campaign that he would not seek to form a government if the party and its handful of allies captured fewer than 215 seats in the 543-seat parliament. It will fall far short of that once final results are declared today or tomorrow, and will end up around 100 seats short of a majority: probably too big to bridge, even with bribery.

Congress's next leader, like the next prime minister, may be a member of a "backward" caste in recognition of the new electoral power of the lower classes. Mr Rao could be the last Brahmin to head either Congress or India.

The incoming government, assuming the BJP fails to take power, will be drawn substantially from the National Front-Left Front combine, an alliance known as the Third Force, which contains a battery of parties that are barely able to work together. It went into the election with no single leader or any joint political agenda, but emerged as the second biggest force, trailed by Congress. The Left Front will project Jyoti Basu, the Communist Chief Minister of West Bengal, as the next prime minister.



P. V. Narasimha Rao waiting to speak at one of his last election rallies before his ruling party was routed

Mummies in China unravel historical certainties

FROM QUENTIN LETTS IN NEW YORK

ARCHAEOLOGISTS are struggling to solve one of the most baffling mysteries of early civilisation. Who were the white men, wearing north European-style clothes, who wandered through northwest China 4,000 years ago and appear to have settled — even colonised — the area?

A conference of international archaeologists in Philadelphia last week swapped evidence about a number of blond-haired, straight-nosed "mystery mummies" found in the Tarim Basin region of western China. The bodies, well-preserved by the salty sands of what is now a desert, suggest that Westerners played a role in the development of China.

It may be time to reconsider the theory that the Far East was an isolated land of mystery and brilliant scientific innovation before the opening of the Silk Road in the 2nd century BC. Early Europeans probably made their way to the Tarim Basin for trade, or in search of prey. Some stayed, while others may simply have been travellers. The weaving of garments found on the mummies bears strong similarities to textiles found on European and British/Celtic mummies pre-dating 500 BC.

The mummies were found buried with hats, boots and colourful garb, sometimes beside non-Caucasian bodies, suggesting that they were part of the community. The climate of the area may then have been better suited to settlement than today.

Vincent Pigott, an archaeologist at the University of Pennsylvania, said yesterday: "There is evidence of long-term occupation of this part of China by Europeans. This is one of the more remarkable archaeological discoveries of this century."

The Caucasian people survived in the Tarim Basin until the 2nd century AD and then appear to have disappeared suddenly. Dokun Kamberi, an Uyghur archaeologist attending the University of Pennsylvania,



A mummy from about 1000 BC, found in China but possibly of Western origin

Museum conference, said he recalled hearing, as a child, folk stories about non-Chinese people settling in the area long ago. The recently discovered mummies, and the accumulating archaeological knowledge about them, indicated that the folk stories were based on fact.

Earlier this century European explorers found manuscripts in the area depicting an extinct language, Tocharian, which bore similarities to Celtic and German.

Mr Kamberi himself discovered a piece of human skull in the area which may



be 500,000 years old, but there was no telling if it was of a white or an oriental. The racial identity of the early settlers of the Tarim Basin was, said Mr Kamberi, "very important for writing Asian history and world history".

Lord Renfrew, the Cambridge archaeologist, told the conference that the apparent evidence of cultural cross-fertilisation meant that diffusionism, hailed by the progressives of the 1960s and 1970s, "needs to be taken seriously again".

Victor Mair, the conference organiser, said that when he first saw one of the mummies he was "thunderstruck — I just stood there for a couple of hours". It might be too early to draw conclusions about where the people came from, he added, but the likeliest route to the area was from the Russian steppes.

Desperate Dole rails at Clinton foreign policy

FROM MARTIN FLETCHER IN WASHINGTON

BOB DOLE, struggling to erode President Clinton's huge poll lead, opened a new front yesterday with a blistering attack on Mr Clinton's foreign policy performance.

Mr Clinton's "track record of weakness and indecision and double-talk and incoherence has diminished American credibility and undermined American interests", the senator declared in his first major speech on foreign affairs since winning the Republican presidential nomination.

The President had "squandered the rich foreign policy legacy he inherited by making inconsistency, confusion and incoherence the common features of American diplomacy". Though he and Mr Clinton were both free-traders and internationalists, he said, "our differences are vast and fundamental, from expansion of Nato and the deployment of ballistic missile defences to over-reliance on the United Nations and decisive action against the enemies of the United States".

The Dole camp sees foreign policy as one area where his long experience and wartime service gives him a major advantage over Mr Clinton. The 72-year-old senator disputed the notion that voters do not care about foreign policy, arguing that Americans cared deeply how the world saw their country.

It was "time to restore American leadership in Asia and throughout the world. No more overnight reversals, no more conflicting signals and no more strategic incoherence. Our future security depends on American leadership that is respected, trusted and, when necessary, feared," he said.

Focusing particularly on Asia, Mr Dole told Washington's Centre for Strategic and International Studies that Mr Clinton had sent disastrously conflicting signals to China, appeased North Korea, and lost the trade war, it had declared on Japan. This "weak leadership, vacillation and inconsistency" had left the world's only superpower "drifting and defensive with an uncertain course and untrusting voice in the Pacific Basin".

Mr Dole endorsed the President's imminent decision to extend China's preferential trading status for another year. That was bound to anger conservatives who wanted China punished for bullying Taiwan, intellectual piracy, selling nuclear technology and continued human rights abuses.

However, he lambasted Mr Clinton for Sino-American policies that had "contributed to the convictions shared by allies and adversaries alike that American leadership in Asia is fragmented, contradictory and uncertain".

Seeking to pre-empt Mr Dole's attack the White House had on Wednesday threatened punitive tariffs on \$2 billion (\$1.3 billion) of Chinese imports unless Peking agrees by next Wednesday to halt the piracy of US films, music and computer software.

Dying guru 'will log on and drop out'

FROM GILES WHITTILL IN LOS ANGELES

TIMOTHY LEARY, the drug guru who advised followers in the 1960s to "tune in, turn on and drop out", has cut his ties with a cryonics organisation that had hoped to freeze his head after death.

British-born Dr Leary, 75, who now lives in Beverly Hills, is engaged in a typically eccentric dance with prostate cancer. Instead of resisting the disease, he has said he relishes death as "the ultimate trip". He is even seeking ways to allow disciples to witness his final moments "live" thanks to the Internet.

In one conflicting signal, however, he arranged for a group of believers in the dubious science of cryonics to

freeze his head in liquid nitrogen after death in the hope of being reborn when advances in genetic cloning allow.

The former Harvard psychiatrist now appears to have jettisoned his faith in such a chilly afterlife. He has torn up his \$50,000 contract with the CryoCare Foundation, saying: "They have no sense of humour. I was worried I would wake up in 50 years surrounded by people with clipboards."

For the present he has livelier company. A symbol of alternative and mind-expanding lifestyles for several generations, he is visited on his psychedelically draped death bed by the likes of Yoko Ono, the actress Wynona Ry-

der (his god-daughter) and Hollywood's current first couple, Tim Robbins and Susan Sarandon.

Meanwhile, the cryogenics movement, scorned by serious scientists since its inception in the 1970s, has lost a priceless opportunity for publicity. As Dr Leary's friend and writing partner, Vicki Marshall, put in the yesterday's *Los Angeles Times*: "He is not going to be their poster boy."

Ms Marshall pointed out that Dr Leary had never taken cryonics very seriously, considering it only slightly less stupid as a post-death procedure than being eaten by worms. He is now said to be contemplating cremation.



Leary: relishes death as "the ultimate trip"

Team work brushed up

Tokyo: A Tokyo company owner who cleans his firm's lavatories every day has inspired executives across Japan to follow his example (Robert Whyman writes).

Under the slogan "Let's polish our hearts through cleaning toilets", Hidesaburo Kagiya, the 63-year-old owner of a car component business, leads a 25,000-strong group to encourage managers to clean lavatories in the workplace, and in schools and public places.

"By getting down on my hands and knees to scrub lavatory bowls and urinals, I discovered I could bring out the best both in myself and my workers," Mr Kagiya said.

Doubt cast on claim of North Pole flight

BY QUENTIN LETTS

ALLEGATIONS of dishonesty have been levelled at Admiral Richard Byrd, the begoggled American adventurer who in 1926 claimed to have become the first man to fly over the North Pole.

Dennis Rawlins, a navigation specialist, has examined Byrd's log of that flight and has concluded that the aviator, faced with engine problems, turned round 150 miles short of the pole.

The log was discovered amid papers at the back of Byrd's 1925 diary. It appears that the then Lieutenant-Commander Byrd may have used the last few pages of the old

book for the 1936 flight simply to save paper.

Mr Rawlins was invited by Ohio State University to study the compass readings marked down by Byrd and his mechanic, Floyd Bennett. Mr Rawlins suggested that the two men must have known that they had failed to reach their cherished destination when they turned round and headed back for Spitsbergen.

The map readings show that the turnaround, which was enforced by an oil leak from the engine of the Fokker monoplane, was made two and a quarter degrees before the pole.

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THE TIMES FRIDAY MAY 10 1996
**Belgium
French
over co**

Farmbelt

Germans court
taxman ups

By R...

APRIL 28, 1996
The German government has announced that it will increase the tax on capital gains from 10 per cent to 15 per cent. This move is part of a broader tax reform package aimed at increasing revenue and simplifying the tax system. The new rates will take effect from January 1, 1997. The government expects this change to generate an additional 1.5 billion marks in annual revenue. Critics, however, argue that the increase will discourage investment and savings. The Bundestag is expected to approve the measure in the coming weeks.

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Belgium pursues French tycoon over corruption

FROM BEN MACINTYRE IN PARIS

A BELGIAN court investigating allegations of corruption has issued an international arrest warrant for Serge Dassault, the powerful French industrialist and head of one of the country's most prestigious aircraft-makers.

The warrant for M Dassault's arrest was issued by a Liège magistrate in connection with bribes allegedly paid to Belgian government officials in 1989 to secure a contract, worth an estimated £125 million, for modernising the American-built F16 fighters of the Belgian Air Force.

"I am a complete stranger to this transaction," M Dassault insisted in Paris last night, adding that he had rejected a request to attend a hearing on the case in Liège 15 days ago because Belgian law lacked "certain elementary rights available to every French citizen".

M Dassault, 71, said he had written to the Belgian authorities saying he was prepared to be interviewed on French soil and had responded to questions posed by the magistrate last November.

Belgian investigators suspect M Dassault of handing over a commission of more than 10 million francs (£1.3 million) via the electronics company Dassault Electronique to secure the contract, code-named Carapace. *Le Monde* reported.

Legal sources in Belgium said that the warrant was issued last week because evidence recently obtained from Swiss banks "suggests strong indication of corruption". In-

vestigators suspect the money was paid to members of the ruling Socialist Party in Belgium.

M Dassault is chairman of Dassault Aviation and honorary chairman of Dassault Electronique, but he insisted that his responsibility for the electronics firm ended in 1986. Dassault Aviation, makers of the Mirage and Rafale fighter jets and Falcon business jets, relies primarily on govern-



Dassault denies link with transaction

ment orders and declared profits of £63 million last year. The case is linked to the recent scandal surrounding the Italian helicopter company Agusta, which forced the resignation of Willie Claes, the Socialist, as head of the Nato alliance last October. Prosecutors are investigating whether that company paid £1 million to secure another Belgian government contract worth £220 million.

M Dassault, whose person-

al fortune is estimated at £35 million, is only the latest in a string of top French businessmen to be touched by corruption allegations, but the warrant for his arrest is likely to prove particularly embarrassing for President Chirac, a longtime friend and political ally.

M Chirac's father, a banker, worked for the aviation company and the Dassault family was a strong supporter of M Chirac's early political career. A member of M Chirac's Gaullist RPR party, M Dassault also toyed with becoming a politician. Last year he was elected Mayor of Corbeil-Essonne in the Paris suburbs.

The company was created by M Dassault's father, Marcel Bloch, a Jewish-born aviation entrepreneur who built aircraft during the First World War and was imprisoned in the concentration camp at Buchenwald when he refused to build aircraft for the Nazis.

A flamboyant and inspired businessman, Bloch later converted to Catholicism and changed his name to Dassault in honour of his brother's code-name during the Resistance, going on to build one of the most successful aeronautical companies in the world.

When Dassault senior was asked about the use on British troops of Exocet missiles made by his company during the Falklands conflict, his reply was characteristic: "The British are friends. The Argentines are customers. I have the highest regard for them both."

Broadway beset by sound of discord

FROM QUENTIN LETTS IN NEW YORK

JULIE ANDREWS has withdrawn from this year's Tony awards — Broadway's version of the Oscars — in protest at the lack of nominations for her fellow cast members in a New York musical.

The British star shocked Manhattan theatre-goers with an announcement on stage at the end of a matinee performance of *Victor-Victoria* by saying she wanted nothing to do with the 1996 Tonys, even though she has been nominated for best musical actress. It was the only nomination for the show, directed and produced by Blake Edwards, her husband.

The actress told a full house at the Marquis Theatre "I have to say how deeply sad I am to be the only nominee in this extraordinarily gifted company. I have searched my conscience and my heart and find I cannot accept this Tony nomination." She preferred, instead, to "stand with the egregiously overlooked cast."

Her uncharacteristic outburst reflected widespread surprise at this year's nominations. The awards, in their 50th year, also failed to recognise the Royal Shakespeare Company, which is back on Broadway for the first time in years.

The Tony judges have been criticised for their eccentric choices and there has been speculation that many may be dismissed before next year. Nominations went to unsuccessful shows, off-beat dramas and productions that closed early.

Victor-Victoria has drawn big audiences. Meanwhile, the absence of the Royal



Julie Andrews reads out a statement turning down her Tony award nomination

Shakespeare's splendid *A Midsummer Night's Dream* — arguably the best thing on Broadway this year — was baffling.

The nominations have left actors in tears and angered producers, one of whom condemned the judges as "a bunch of academics". Miss Andrews, normally regarded

as being above "luvviedom", was said to have been devastated by the apparent snub to *Victor-Victoria*. Backstage morale was so badly hit that she had to give her colleagues a pep talk. "A lot of our creative team have been overlooked," she said, through tears. David Merrick, the doyen of Broadway produc-

ers, called the nominations "bad business", while another observer, Robert Lisauer, remarked that "apparently nobody liked *Victor-Victoria* but the audience". The row has done only good to the show's box office, however. Max Elsen, a veteran press agent, said: "Where there's noise, there's dollars."

WORLD SUMMARY

Western hostages 'left to die'

Phnom Penh: The Australian Senate has opened an inquiry into claims that the Cambodian Government broke an agreement which might have saved the lives of three Western hostages, including an Australian and a Briton, murdered by Khmer Rouge guerrillas in 1994.

Australian media reported that seven letters, which were allegedly exchanged between Khmer Rouge commanders and a Cambodian negotiator, showed the guerrillas wanted to exchange the hostages — alive — for money. (AP)

Baby's body found on jet

Tokyo: The body of a newborn baby was found flushed down a Northwest Airlines plane lavatory by cleaners at Osaka International airport. The Boeing 747, travelling from Los Angeles to Manila, was making a stopover on Wednesday night.

The child appeared to be two days old and did not seem to be Asian. The umbilical cord was still attached. The body had become dyed blue by disinfectant water. (Reuters)

Aznar to trim government

Madrid: The new Spanish administration of José María Aznar will scrap nearly a third of all government departments to save money (Tunku Varadarajan writes). A ruling Popular Party official said more than 80 of the 269 government departments would go — mostly in the Cabinet, Finance and Interior ministries. The Socialist opposition called the savings "peanuts".

Tokyo and Seoul in fishing talks

Tokyo: Japan and South Korea have begun talks on fishing rights around disputed islets, known respectively as Takeshima or Tok-do, in the Sea of Japan. The talks will skirt the ownership issue of the two volcanic islets almost mid-way between the two countries and claimed by both Tokyo and Seoul. (AP)

Peasant held for £640,000 swindle

Peking: A Chinese peasant woman has been arrested for swindling 90 people out of eight million yuan (£640,000). She enticed villagers and businessmen to lend her the money with promises of 10 per cent interest a month, newspapers reported. (AP)

'Farmbelt Führer' is put on trial

FROM ROGER BOYES IN BONN

THE chubby, waddling figure of American neo-Nazi Gary Lauck, still flaunting his Adolf Hitler moustache, entered a Hamburg court yesterday for a trial that will attempt to unravel the worldwide web of far-right publishing.

Mr Lauck, dubbed the "Farmbelt Führer" by American investigators, is accused of heading a company that printed reams of Nazi propaganda, including Hitler's *Mein Kampf* and anti-Semitic tracts, which was smuggled to right-wing extremists in Germany. The publisher, 42, from Nebraska, claims that his activities were protected by US freedom of speech laws and that the prosecutor cannot prove he intended to export the material to Germany.

Hans-Otto Sieg, Mr Lauck's defence lawyer, lodged an

immediate request for the trial to be declared null and void. Mr Lauck was arrested last year on a visit to Denmark and, only after lengthy legal debate, was extradited to Germany. His lawyer claimed that the German charges, presented yesterday by the prosecutor in a 90-minute introductory speech, did not correspond with the reasons given for Mr Lauck's extradition. "In my opinion, the mere fact that we are sitting here is against the law," Herr Sieg said.

The material produced by Mr Lauck's company, in particular the magazine *National Socialist Battle Cry*, is full of virulent prose reminiscent of the Hitler era. Jews are described as "the parasites of humanity". Videos compare Jews with rats. His presses

have also produced hundreds of thousands of stickers displaying the swastika symbol or anti-Semitic slogans.

A total of 38 charges were levelled against Mr Lauck yesterday. German law forbids the public use of the swastika symbol, as well as the sale or distribution of Hitler's writings. Anti-Semitic publications and any denial of the existence of the Nazi Holocaust are also outlawed.

Mr Lauck's party — the National Socialist German Workers Party-Foreign Organisation — is banned in Germany. As anti-Fascist demonstrators marched outside, Mr Lauck looked relaxed in court yesterday, joking that he had "a dog and two cats but no children as far as I know" in response to a question from the judge.



Lauck: videos compare Jews with rats

Italy checking on politics of its athletes

Rome: Italians competing in the Atlanta Olympics are being vetted to try to prevent any unfurling of the banner of "Padania", the separatist state demanded by the Northern League, during ceremonies (Richard Owen writes).

Il Messaggero said this week that the Italian Olympic Committee was discreetly monitoring the political leanings of athletes in training in Rome. It said the committee feared that Northern League sympathisers might use the world's most important sporting occasion for political purposes.

In last month's elections, the League made a strong showing by appealing to resentment in the North of high taxation, partly to subsidise the poorer South.

New MPs settle in with old arguments

FROM RICHARD OWEN IN ROME

THE new-look Italian parliament opened yesterday, three weeks after the election, with the dominant Centre-Left bloc vowing to govern Italy for a full five years.

But Professor Romano Prodi, leader of the Centre-Left Olive Tree, was still unable to announce his Cabinet because of distinctly old-style wrangling over who should hold the posts of Speaker in the Chamber of Deputies and the Senate.

Half of the 630 MPs are newcomers, which lent a "first day of term" air to proceedings in the Montecitorio, the elegant 17th-century parliament building. But the fresh optimism of the opening session was tempered not only by a reassertion of political chaos

but also by anxiety over the secessionist demands of the Northern League.

Signor Prodi offered the Senate Speakership to the opposition, but this well-meant gesture led to further disputes when Silvio Berlusconi, the Centre-Right Freedom Alliance leader and former Prime Minister, suggested Francesco Cossiga, the former President, whom the Left regards as tainted by the corrupt Christian Democrat past.

The provisional Senate Speaker, Francesco de Martino, an 83-year-old senator from the southern city of Naples, was greeted by Northern League jeers when he condemned secessionism in "the prosperous North".

Germans count their losses as taxman upstages Jackson

BY ROGER BOYES

POP star Michael Jackson has called off a concert tour of Germany because of the country's tough tax laws.

The cancellation, coming hard on the heels of protests from other rock performers and foreign orchestras, has shaken not only Jackson's fans but also the German political establishment.

Germany is struggling to cut public spending and raise revenue. There has been public pressure to crack down on celebrity taxpayers who often pay less than ordinary Germans by setting up homes across the border in Belgium or by channelling some of their earnings into overseas companies.

Theo Waigel, the Finance Minister, was happy to oblige and raised the basic tax rate for foreign performers from 15

to 25 per cent at the beginning of the year. Now this has backfired and Germany is worried that it will be boycotted by leading foreign performers.

The problem, explains Dietmar Mittig of the Faerber and Partner tax consultancy, is that "25 per cent is only the basic tax. On top of that comes a turnover tax of 7 or 15 per cent — depending on whether a group or a soloist is involved — and a 7.5 per cent solidarity tax whose revenue is earmarked for the development of eastern Germany."

These taxes are deducted not from the profits of the performer but from their gross earnings. In Jackson's case, that leaves almost nothing since he has to pay for 30 lorriesloads of equipment, the rent of a stadium, security and

elaborate staging. Jackson recoups these overheads from the local impresario and, as far as the German taxman is concerned, they count as German earnings.

A typical Jackson concert in Germany would earn £1.4 million, according to Klaus Bönsch of Mama Concerts. About £600,000 would be kept by the singer, but he would have to pay £156,000 of that in income tax and meet bills of £520,000 for the production of the show. In other words, Wacko Jacko would leave Germany a poorer man.

Jens Michow, who represents the association of German concert agencies, says he is ready to take the German Government to the European Court of Justice as it is in effect discriminating against foreign performers.

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HOOVER.

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How Helena grew up in a Violet shadow



Helena Bonham Carter, in front of the Orpen portrait of her grandmother, the redoubtable Lady Violet

In her family's drawing room in Golders Green, Helena Bonham Carter stands by the Orpen portrait of her grandmother, the redoubtable Lady Violet. The resemblance is strikingly non-existent: Violet's fine, elongated, patrician head; Helena's heart-shaped face and dark gamine look, compounded by the tennis shoes beneath the frock she changed into — out of T-shirt and jeans — for the picture.

On Monday she starts filming Henry James's *The Wings of a Dove*. ("Yes, another Edwardian heroine, how predictable.") Tomorrow afternoon you can hear her in Dodie Smith's *I Capture the Castle* on Radio 4, as Rose: "A complete bitch, quite heartless. Great fun to play."

But today she is playing herself — Helena BC (as she signs herself), granddaughter of Asquith's daughter Violet, whose fascinating letters and diaries, *Vol. I: Lantern Slides*, are published by Weidenfeld on Monday. They reveal that at the age of 17 Miss Asquith was better informed and more opinionated than most people of her age.

As I arrived chez the Bonham Carters (Lady Violet called it Hampstead, but leafy Golders Green it is: a London country house with its own tennis court) a lift descended and out wheeled Raymond Bonham Carter. Helena's father, a former merchant banker whose paralysis 17 years ago made Helena, at 13, decide that she would have to look after herself.

The family was on holiday in Greece when Raymond became conclusively deaf in one ear. A routine operation for acoustic neuroma was bungled, leaving him partially blind and wheelchair-bound. "He wasn't meant to live, but chose to. He is a stubborn man, with a certain amount of cussedness and not an iota of self-pity," Helena says.

Father and daughter sit at a large table covered with letters, in a room papered in brilliant African scenes, with french doors to a sunny garden. Helena is all filial sweetness. You see why she, the baby of the family, still lives at home even though she will be 30 this month and could easily afford a place of her own. ("I'm just too lazy to move out.") Her rocking horse is still under the stairs, and the tiny chair that was bequeathed to her by Violet. "My mother could seem intimidating: she was opinionated, and loved argu-

THE VALERIE GROVE INTERVIEW



Helena Bonham Carter is one of our leading actresses — but she still chooses to live at home because she is too lazy to move out

ment," says Raymond. "She wrote to me every week when I was at school, as if to an adult — like her father's letters to her. She was Asquith's boon companion after her mother died and he slept in her bedroom. Every night she would cross-examine him about his day in the Commons. When she was five, he took her to tea with Mr Gladstone, and she told her nanny that Mr Gladstone wolfed his food."

"I don't honestly remember her," says Helena, who was rising three when Violet died in 1969. In a picture of herself on her grandmother's knee, she is fair: it turns out that despite her dark eyes from her French-Spanish mother, Elena, Helena is secretly a blonde. "I do recall a dim, long corridor at her house at Hyde Park Gate, and a smell of cooking. I wrote down my memories of her when I was 13."

"Helena is a great diarist herself," Raymond says. Has he read them? Helena: "No way."

"Well," says her father, "I remember her descriptions, at eight, of a visit to Kenya."

"Lots of people — taxi drivers — tell me about my grandmother as an old lady," says Helena. "It's a luxury to get to know how she was at my age. I find her confidence terrifying. It wasn't just that she was the privileged daughter of the Prime Minister; she lived so vividly, and she had such a reverence for words. Today, the word is superseded by images. And our concentration is not improved by television. I feel inspired by her turn of phrase."

Violet at 17 was dining and arguing with archbishops, earls, ambassadors. Her observation of people ("Mrs Sidney Webb — wife of goat-bearded bore") was acute. In Paris she attended philosophical lectures by Bergson, and

discussed his theories. Turtled at home and mixing only with clever adults ("We are all worms," Winston Churchill told her at dinner one night, "but I do believe I am a glow-worm"), she gained wisdom by osmosis.

At that age, Helena was at Westminster School, getting her three grade As at A level, and a place at Cambridge to read modern languages if she had not been diverted into films. Most of her friends went to Oxbridge "so I felt very isolated". She would have been a Zuleika Dobson, sending young men tumbling out of punts. "I could have gone, after *Room With A View*, but my father said carry on, it's a unique experience."

So Helena, with no acting training, had to overcome the twin drawbacks of being both a striking beauty and the scion of a great family. She had to learn on the hoof, on camera: "Very exposing."

It was in *Howards End* when she played Helen Schlegel, Violet's contemporary, that she began to be curious about her grandmother's indifference to the suffragettes, "since she was so exercised by inequality in every other walk of life. Perhaps it was because she never experienced discrimination herself." Or because she saw her father showered with pepper by the militants.

Violet's accounts are of weekend parties at great houses "with all the ancient discomforts", debutante balls "being swirled giddily around by a new young man every five minutes" where everyone has a nickname (Bonnie, Baff, Bim, Gugs, Louisebags, Tweeders, Swank) and where swains are defined as eligible, detrimental and drumbores; of exotic travels, and a proposal of marriage, when her brother advised:

"Married to Hugh, you could not reach your highest," of her engagement to his death-bed to Archie Gordon ("melodramatic," says Helena). Family history records that Violet was paralysed by some psychosomatic disorder in early teens. "Attention-seeking," says Helena.

Helena's precocious stardom (via a *Tatler* photograph, shown to Trevor Nunn, who cast her as Lady Jane Grey immediately after her A levels) was sustained by "the confidence of ignorance."

"The flipside is, I was very conscious of criticism, and realised how much I had to learn."

When critics say she gets better and better, thanks to breeding and intelligence, it reminds her gloomily of how bad she was at first: she tries to have a sense of humour about it. "I feel I can disown my earlier self, I'm always surprised at how podgy and high-voiced I was."

The podgy is gone, the voice low. And the "bane of looking too young to play anyone emotionally mature" is lessening. She is Olivia in Trevor Nunn's *Twelfth Night*, and currently Woody Allen's art gallery-owning wife in *Mighty Aphrodite*. That offer came while she was playing a coalminer's daughter in *Nova Scotia*. "I flew like the wind to New York and gave a very lacklustre reading."

While filming in bed with Woody, whom she reveres, she discovered that he kept on his clothes and even his shoes — "in case there's a fire," he said when she asked. "He's a stack of phobias, and an escapologist."

Helena remains enigmatic herself; consciously dressing down. I admire her new straw hat: "Twenty quid at Accessorize," she says. She mentions the biological clock, but has decided never to discuss her private relationships — with Ken Branagh, or with anyone. "They are hard enough anyway, but even harder if you conduct them in public."

Her fierce intelligence struck me as I watched the recording of tomorrow's *I Capture the Castle*. Her petulant opening line ("I see nothing romantic about being shut up in a crumbling ruin surrounded by a sea of mud") is very Helena.

She next goes to Venice for *Wings of a Dove*: "I'm playing another cruel, mercenary type. And it's corsets and parasols again." Had her grandmother been an actress (as she once wanted) she might have said the same.

'It's a corsets and parasols part for me again'

Waiter, bring me someone to talk to



SIGN OF THE TIMES

by Giles Coren

Did Dante, Milton or Sartre never eat at Orso in London's Covent Garden?

For as I sat alone in that cavernous schmoozatorium wining at the sympathy of the bar staff, a lick of flame or a whiff of brimstone would have been welcome distractions. There is nothing in the etiquette books about how to comport oneself in a public place, when the person one is meeting has decided one is not interesting enough to arrive on time for — if at all. Cigarettes are good. They turn loneliness into defiant solitude. You can read the

Evening Standard for ten minutes, but after that everyone knows you are bluffing. Some rattle through the Filofax, exclaim "Oh!" and make a sharp exit, but that wouldn't work if you were meant to be lunching with, say, Richard Addis, Editor of

the Daily Express and a renowned latecomer. He is apparently wont to send his secretary to accompany you until he arrives. Everyone who came in peered perishingly down at me. Every glance said: "Look at Nobby No Friends." But

you are never alone, there are always others drumming their fingers on the table and rereading the menu for the fourteenth time. Can we not unite? There ought to be a code of practice. There ought to be badges which say "Join me, I'm waiting, too."

But there are not. So I approached an overly made-up woman in her forties, deserted and close to tears, who looked in need of company. "Excuse me," I said. "My date is late, too. Do you think I could sit down until she arrives? What are you drinking?" She told me she

expected her guest very soon, thank you, and would I mind returning to my table.

I tried a man, less likely to take umbrage. "Sorry mate," he said. "I'm waiting for a call on my mobile." As I got up, someone asked me for a spritzer and some matches. This gave me an idea. Would the waiter stop and have a drink? "I'm a bit busy. Do you want to cancel?"

No. I wanted to die. Everyone knew now. I tried one last table of four. Surely they would be happy to keep me company while I waited. They were even waving their arms as I walked over. "Look, don't. Whatever it is, we don't want to be part of it." It's life, that's all. And who does?

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Philip Howard



■ Today we reveal the transcript of a tape just smuggled out of Moscow...

Our latest spy story has suddenly fallen quiet. For that is the way spies prefer to manage their affairs. But beneath the surface of their secretive and mutually self-supportive world, the moguls of death and industrial espionage are at work harder than ever, justifying their place (and expenses) in this colder climate: the post-Cold War world.

The head of the Russian Federal Security Service, Ruffus, is the same Colonel-General Sergei Nekrasov who was head of Smersh under Bulganin. The portmanteau acronym of *Smert Spionam*, "Death to Spies", has been renamed to make it democratically correct, but its function remains the same. "G" as he is known throughout the ugly modern building at No 13, Sretenska Ulitsa, is now completely bald, and wears an Order of Peace and Democracy beside his two Orders of Lenin. His bushy brows have grown white. But after more than 50 years in the post his is still a hard, unyielding face of formidable authority. He is discussing the crisis with Lieutenant-General Pugachov, Head of the GRU, the intelligence department of the General Staff of the Army.

"Whether to expel the nine British spies has been referred to higher authorities. Ruffus has done its work in exposing them. Now it is up to the politicians to find solutions that take into account Russia's national interests." "But Comrade General," said the man from GRU, "Will this not provoke tit-for-tat expulsions? Already we have too many redundant spies."

G replied: "No doubt this is a chance for Comrade Boris to demonstrate his virility before the elections. All good Russians believe their Motherland is overrun with foreign spies. So there are votes in appealing to their patriotic paranoia. But I have objective evidence that our friends in London are pleased to see our intelligence activities in the news again. I received a message from M. my British counterpart, in our dead-letter box in Petrovski Park. With English humour it runs: 'Welcome back. It is a pleasure to do business again. The game's afoot.'"

Pugachov: "But M cannot seriously mean it is a pleasure. What business did spies ever do apart from killing each other and making money in the West from books of spurious reminiscences? Most of our 'secret' information was on sale in HMSO publications and technical journals. And even when we got new intelligence, nobody on either side believed it." G: "My friend, you do not understand the importance of the fiction of spies to the British. It is true that their spies are civil servants paying crumbs for information that can be read in the newspapers. But the idea of the spy as hero is a minor literary genre at which the British excel."

"Life has not been the same for them since the Berlin Wall came down. It removed a wild frontier to danger from their imagination. Their thriller-writers have tried to substitute Mad Mullahs. But these are less convincing, especially now that Ayatollah Khomeini is dead. And they have tried Napoleons of crime such as Professor Moriarty, as a spider sitting motionless in the centre of its world web. But megalomaniac billionaires intent on world domination already exist in the Western world in pseudo-politicians such as Ross Perot and Sir James Goldsmith. And the British see them as batty as butterflies, as boring as beetles, not as sinister as spiders."

"Four centuries ago the English literary craze was for Jacobean blood and thunder. After the loss of Empire and demotion from being a great power to a middling, not very successful industrial society, British today find comfort in their literary myth of the spy. He may be a gentleman like Sir Richard Hannay, or a quiet Englishman like Sir Ashenden, or a *don manqué* like Smiley. As we both know, he is totally unlike the real spy, who is a minor criminal with an eye to publisher's royalties. But unlike the real spy, the literary spy always triumphs in the end. And he needs a powerful, ruthless, professional opponent such as Ruffus to triumph over. So we may have no objective function in this weak piping time of peace, apart from winning elections for Boris. But at least we have a literary function: to keep alive the great British spy novel."

"Oh, Shirley Porter ...



You've dropped us further in the mire...



... what shall I do?



... you 'n your rott'n crew. (as not sung by Marie Lloyd)



Daughter from Elysium

Beethoven may not have been a religious man, but *Fidelio* proves that he was closer to God than most

Some say that Beethoven is taken for granted, and that it is only Mozart who makes us gasp with every note. Some go further and say that Beethoven is old hat. I smile at their impudence, but if Beethoven is old hat, pray give me any hat, however old and battered, and I shall genuflect before it.

Let me assure you that I have not come here to announce the news that Beethoven was a rather good composer. It is that I have been to the Coliseum, the English National Opera, and ENO for short — to hear and see *Fidelio*, and I have much to say on the subject. (I must, of course, ask pardon of all those music-lovers, and particularly Beethoven-lovers, who live too far from London and St Martin's Lane to be there in the flesh, though once upon a time — unless I dream it — the ENO thought nothing of taking an entire performance around the country. And are we not even going to hear this one on radio?)

Now then. We know that Beethoven wrote only one opera, and the devil of a job he — and his helpers — had to get it right, throughout all the changes and quarrels. Did, then, Beethoven dislike the very idea of opera and have to be cajoled into *Fidelio* with a cry of "never again"? Well, it was never again, but no one could claim that Beethoven would shudder at the thought of doing it again, because his papers reveal an astonishing gallimaufry of operas he toyed with, including *Romeo and Juliet*, *Alexander the Great*, *Macbeth*, *Bradamante*, *Romulus and Remus*, *Drumfogg*, *Faust*, *Alfred the Great*, *The Founding of Pennsylvania*, *Melusine*, *The Return of Ulysses*, *Bacchus* and *The Ruins of Babylon*.

Yet he chose only *Leonora*, or *Conjugal Love*, and even that changed, into *Fidelio*. And thus it was, and is.

No one could claim that the libretto and the plot are masterpieces; that matters very little. Nor do we need to smile at the heroine when she is disguised as a man — the number of operatic cross-dressings is countless. But for all that, *Fidelio* clutches at the heart and the mind even without the music.

That, if you stop and think about it, is a remarkable statement. It must mean that Beethoven, for all the clumsiness of the libretto, had infused the words — very few of them his — with something far more than telling a story. It means, surely, that *Fidelio* has yet another layer

that we must heed. The late William Mann was entirely steeped in music, and when he surveyed *Fidelio*, he said this:

"The greatness, the undiminished impact of *Fidelio*... flows all the rules of successful opera, but it strikes hard at the spot which a real opera must strike. In cold blood, and on the libretto's printed page, the characters may appear to be puppets... But connect any of them to Beethoven's music and each one comes to life; the two dimensions turn into at least four. For... the point about *Fidelio* is not that a man falsely imprisoned is saved from murder... by his wife's plucky intervention; nor even that she cleverly persuades the jailer's daughter to fancy her a man; but that all over the world, at any time in history, injustice is being perpetrated and it can be prevented by the combined, individual action of anybody on earth who sufficiently believes in the human moralities, and above all the sanctity of human life."

Now Beethoven was no churchgoer, though as the old Grove puts it: "Beethoven's was a deeply religious nature: of this the Mass itself is witness... unstained by canonical doctrine, he strove to reach and encompass a God whom he knew existed but could not comprehend."

But I have not come to give a lecture on *Fidelio*; or rather, I have come to give a lecture on *Fidelio*, but of a different kind. Anyone who has followed the work of Graham Vick (as I have) will know that he has directed countless operas, in Britain and elsewhere. More to the point, the man is steeped for life in unwavering integrity.

You do not have to think in terms of profundity: anyone who saw Vick's production of *Eugene Onegin* will know with what delicacy, pain and even humour this man can bring an old work to life. Put it beside the dreary bludge of Covent Garden's current *Ring* (particu-

larly the idiotic toy aeroplane wiggling across the backdrop with no conceivable meaning) and you will instantly know the difference between Vick and thingummy. So I went, in high heart, to the ENO for the new Vick-made *Fidelio*.

My companion had never heard *Fidelio* — an astonishing admission — for she is far too young to have heard the great Klemperer's triumph and the most recent London attempts were wretched and didn't stay long.

I confess that my palms were clammy through the overture; even my hero Vick might have come a purler. Shame on me, shame to doubt him, for what we saw at the beginning of the work was a huge tarpaulin, almost filling the stage, and as the cloth was peeled away, the entire audience could hear my sigh of relief. For you see, Beethoven really did

not need to be told how to do his work, and Graham Vick did not need to be told how to do his. Under that great cloth, there was a massive, immensely handsome, polished wooden cross which almost filled the stage (and remained throughout the evening), immediately telling us that what we were to see and hear came from God and Man. Not just God, and not just Man; the two had joined forces.

I had heard outside the opera house in the interval, and read in some of the newspapers the following day, that what we had heard was, of course, wonderful music, but otherwise no more than a political story, with a bad man properly coming to grief and the good man and woman released from their dungeon. Politics, they said, just as we talk about politics, and hope to achieve the release of an unjustly imprisoned man, with Lord Lane getting it all wrong as usual. So glorious is the work, and so marvellously has Vick brought it to life, that I have only just

begun to be irritated by those who talk of politics, as though we were truly in the Law Courts. Do, please, broaden your horizon, you who believe that *Fidelio* is an exciting work of music, in which there are goodies and baddies and the baddies get their comeuppance or don't, just like Tosca or Rigoletto. *But Fidelio is not like Tosca or Rigoletto, it is much more like God Almighty.*

The trumpet shall sound; where have you heard those words? Don't bother to look it up, it goes like:

Behold, I show you a mystery; We shall not all sleep, but we shall all be changed. In a moment, in the twinkling of an eye, at the last trump: for the trumpet shall sound, and the dead shall be raised incorruptible, and we shall be changed.

If you don't believe me, go back to the ENO, get, buy or steal more tickets, and listen to those final bars. You don't have to be an expert in music, you only have to listen to that stupendous ending, filled with God and Man.

No, I do not think that Graham Vick is the thirteenth Apostle, but he can see a cross and what it means: more to the point, I would guess that Beethoven knew what it meant too, even if he didn't go to church every Sunday, or indeed any Sunday. (*Christ on the Mount of Olives* is far from Beethoven's best work, but it strengthens Beethoven's deistic feelings, however irregular.)

Perhaps he thought that he had done enough for a day, with the *Missa Solemnis*. But heaven forbid that Graham Vick should ever think that he had done for the day. In the ENO programme he lists some operas he has directed, and some that are in the pipeline, and so besotted am I with Vick's work, that I have sworn, shuddering, to go to *Lulu*, at Glyndebourne, this season, and on my birthday.

Let us come back to Beethoven and *Fidelio*. The clumsiness of the libretto and the awkwardness of the unfolding story hardly matter, and even if they did matter — well, the quartet in the beginning of the first Act is in its own right an imperishable masterpiece. But it is not only an imperishable masterpiece; we are talking of Beethoven, and Beethoven does nothing without meaning it. The quartet floats to heaven (for some, the tears begin there — mine start at the trumpet-call), and we are in an ordinary work; from this moment on, we are in the hands not of Man or God, but Man and God. But don't forget the box office; Beethoven wouldn't.

Bernard Levin

Pop art

TRANSFORMING from pop star to *haut intellectuel* is not proving entirely painless for David Bowie. After the lukewarm critical reception of his paintings recently, he has just received a rebuff from the Institute for Contemporary Arts in London, which is staging a festival to celebrate the tenth anniversary of the death of the French writer Jean Genet, one of Bowie's heroes and the inspiration for his Seventies song, *The Jean Genie*. Bowie, who these days prefers

books, cigarettes and coffee to drugs and thrash guitar, had hoped to give a lecture at the Genet festival. Bowie filmed Genet, the author of *The Thief's Journal*, before the writer's death.

Unfortunately, the organisers were not so hot on the idea. "The last thing we need is David Bowie pontificating on Genet," said one closely involved with the ICA festival. He was offered space to do an installation work instead.

"The ICA actually warned

David to contribute in some shape or form," said a spokesman for Bowie, "and he decided to contribute an installation. He was never planning to give a lecture."

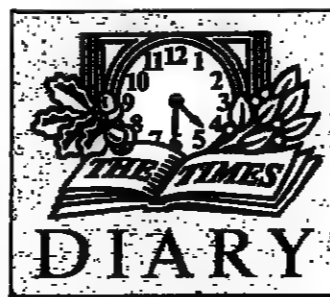
Either way, Bowie's installation, featuring a coffin, peepholes and his amateur Genet films, will be exhibited on the top floor of the ICA — well away from the rest of the proceedings.

● Should Dame Shirley Porter need succour in these dark days, as she faces a bill of up to £31 million and charges of gerrymandering, the might hawk back to the early Eighties, when she founded and chaired the penny-pinching WARS: Westminster Against Reckless Spending.

Scotch froth

DESPITE all of Michael Forsyth's posturing about not flying the European Union flag on Europe Day yesterday in protest at the EU's beef stance, the Secretary of State for Scotland found himself worsted. His nemesis? Mrs Jeanette Gormley, housewife and guerrilla tactician supreme.

Mrs Gormley, a keen supporter of the Scottish National Party, lives above Conservative HQ in Stirling. Forsyth's constituency stronghold. Together with her husband, Charles, they forced a



pole out of their front window and left the Euroflag to flap tauntingly above the door. Frantic calls were made to Forsyth, but to no effect. "It's really just to upset Michael Forsyth," said the formidable Mrs Gormley. "We've been trying to get up his nose for years."

● The depiction of the Queen's fingers like bloated sausages in Antony Williams's portrait may well have alarmed the monarch. Traditionally such a characteristic has indicated low-born blood. Queen Mary, who had morganatic German ancestors, was derided by her sister-in-law Princess Louise: "Poor Mary! Poor Mary! with her Wurttemberg hands."

Seconds out

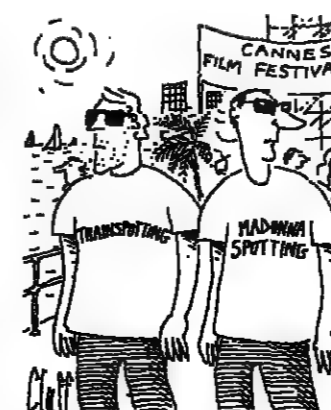
HEAVYWEIGHT Euro-battle will be engaged on Wednesday

night at Warwick University. In the septic corner is John Redwood, MP, the Jack Russell of the Right, while representing Europe is the man-size figure of Sir Leon "Haystacks" Brittan, Vice-President of the European Commission. The debate was to have taken place at lunchtime. Brittan, however, was forced to reschedule, having been told he must be in Brussels over lunch for a visit from Chancellor Kohl. Though deeply unimpressed by the excuse, the Redwoodsmen have agreed to an evening encounter.

● Life is no beach for the Princess of Wales who was yesterday meeting executives from the German carmakers BMW. Under discussion, apparently, was the possibility of the Princess trading in her smoozy BMW528i for a new coupe, the BMWZ3, which featured in Goldeneye, the latest James Bond film. The convertible would look terrific whether tooling through Kensington or zipping over to the gym.

Rude food

NOT content with having served beef to Chancellor Kohl when he visited London last week, the Government now seems intent on putting all visiting foreign dignitaries through their own trial by



red meat. At Tuesday's WEU summit, hosted in Birmingham by Malcolm Rifkind and Michael Portillo, the Foreign and Defence Secretaries, 54 foreign and defence ministers from 27 countries were greeted by bloody beef slices lapping across their lunch plates.

Yesterday Rifkind, a man for whom jokes grow funnier with repetition, lunched with Edmund Stoiber, the Bavarian Prime Minister and President of Germany's Upper House, at the Foreign Office. With giggles firmly suppressed a main course of beef Wellington appeared, with no vegetarian alternative.

Abuse of power, not money

Sarah Baxter on Westminster's gerrymandering

Disgraceful. Unlawful. Improper. This was the verdict Dame Shirley Porter had fought so long to avoid. She was in London yesterday on a flying visit, having spent the past few years in voluntary exile in California and Israel. She is beyond retirement age now and has given up politics for a life of callisthenics, speedwalking and competitive golf, but the appointed auditor, John Magill, her indomitable, thin-faced foe, has nailed her at last.

Or has he? On the face of it, yes. Dame Shirley and five Westminster council colleagues face a surcharge of £31.6 million for gerrymandering. How satisfying it seems that a millionaire politician should be forced to pay back such an extravagant sum. In the 1980s, she courted publicity with stunts which for long-forgotten reasons involved bringing camels to Downing Street or dressing up as an Indian squaw. Now her public life has ended in very public disgrace. There is a symmetry to this.

Yet does anyone remember what the fuss was about? I do, but then I was in my first job as a reporter on the London magazine *Time Out* when the scandal emerged. A decade ago, after the local elections of May 1986, Dame Shirley feared Labour might win control of the flagship Tory borough. Instructions went to "G. Mander on housing" and to be "mean and nasty" to the homeless, many of whom were lodged outside the borough while council flats in marginal wards were boarded up for sale. Fellow Tories, who disliked her and her policies, began to leak like sieves to nie and anyone who cared to listen.

In practice, only a few hundred homes in the so-called battle zone wards were sold and the Tories hit on a far more effective means of staying in power. An unusually low council tax has kept Westminster Conservative, while local authorities throughout the land have tumbled to Labour. The whole exercise was both morally wrong and completely unnecessary. Many of those who bought the flats now have negative equity. Homeless families are still in temporary accommodation. Dame Shirley rightly stands condemned for her role in this — and her former colleague, Barry Legg, now the Conservative MP for Milton Keynes, has had a fortunate escape — but the corruption saga should never have taken so long to investigate.

Much of the evidence about gerrymandering was revealed in a BBC *Panorama* programme in 1989. After that, Mr Magill began his digging operation and produced some more telling details. Seven years on, however, the scandal seems tired. Shirley Porter, who in her day was almost as notorious as Margaret Thatcher, can now be cast aside by the Tories. And it is not over yet. Dame Shirley will challenge the auditor's findings. She has the money to make good her vow to battle on "for ever".

The inquiry has taken longer than the Second World War, she says. It is partly her own fault. Mr Magill complained in his provisional report that he was given the runaround. Some documents were shredded, others were buried deep in City Hall files. He considered Lady Porter to be an obstructive witness. "Let me just say, Dame Shirley, if you are frustrated, I am frustrated," he seethed in one encounter.

The auditor knows his verdict has to stand up in court. Leading counsel employed by him have spent months poring over the final report. Nevertheless, it cannot be right that his inquiry has taken twice as long as Sir Richard Scott's much-delayed report into arms sales to Iraq. In the meantime, the accused have had to live with the threat of unlimited fines and bankruptcy. One of them, Michael Duff, committed suicide.

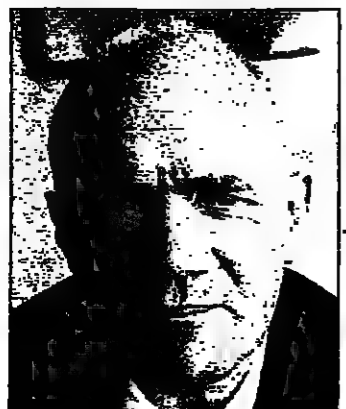
Dame Shirley claims the whole affair is a miscarriage of justice. That is nonsense. But even her Labour opponents, who have battled so hard, concede that the delay has taken the edge off their satisfaction.

In addition, although the Labour Party now favours the idea of swingeing penalties for "wilful misconduct", it amuses them that a Tory council has been undone by Tory legislation — it opposed them when its own councillors in Lambeth and Liverpool were in the dock.

The Nolan Committee on Standards in Public Life is soon to turn its attention to local government ethics. It should extend its brief to examine whether corruption should be treated purely as an accounting matter. A judge or barrister may be better qualified than the auditor to head some investigations, particularly since a judge has the last say anyway. Mr Magill has so far acted as prosecutor, judge and jury.

The Westminster wrongdoers have been held responsible for misusing council funds when what they did was abuse their power. Their surcharge, based on the cost of implementing the "homes for votes" policy, bears no relation to their ability to pay. As they are jointly liable, Dame Shirley will have to pick up the bill for those who go bankrupt, which also seems unfair. Does this mean that only the poverty-stricken will dare become councillors, when it is already difficult to attract a range of talented people?

A sliding scale of fines and a lengthy ban on holding public office, including the position of MP, might be a more appropriate punishment. A system that leaves me feeling sorry for Shirley Porter cannot be right.



Jean Genet: the inspiration



Bowie: the intellectual

كندا من الأصل



DANGEROUS DIVORCE

De Klerk's decision to depart from office is premature

The National Party's decision to leave the South African Government ends a unique period of political harmony. It leaves the country with a serious problem of reassuring overseas markets and partners.

Developments in South African public life since the elections two years ago have been widely admired. The difficult balance between the aspirations of the newly enfranchised majority on the one side and the fears of the white minority on the other have generally been managed with skill and good grace. The powderkeg in KwaZulu, Natal, has not exploded. Much of the credit for this has rightly gone to President Mandela. But he received invaluable support from Chief Buthelezi and F. W. de Klerk.

The National Party has left office in protest at the content of the new constitution adopted on Wednesday. Although Mr de Klerk voted in favour of the documents, he made plain his dissatisfaction with many sections. The party condemns the abandonment of formal power-sharing from 1999 when the new draft takes effect. It also expressed concern that the compromises negotiated on retaining single-language state schooling for Afrikaners, the power of employers to lock out striking workers, and the protection of property rights were too weak and cast largely on the ANC's terms. Its final affirmation of the Constitution, de Klerk stated, was only to avoid the country falling into chaos and to maintain international confidence.

Meanwhile Chief Buthelezi and his Inkatha Freedom Party, which had boycotted the whole constitutional dialogue, said it would challenge the final text in the courts. The atmosphere in KwaZulu, where local elections have already been postponed for a month amid accusations of electoral fraud and politically inspired killings, remains poisonous. It seems that the Chief

may now follow the National Party's example and quit the Cabinet too.

International markets have already reacted to this turmoil. The rand, which had already fallen sharply after the resignation of Chris Leibenberg as Finance Minister six weeks ago, has plunged again. The trend is a nervous one: the prospect of a solely ANC government faced with rising expectations and economic crisis is likely to keep nerves tense.

The behaviour of the National Party over the last 48 hours is difficult to justify. A protest against the ending of multiparty Government in 1999 succeeds in bringing it to a close three years earlier. Why vote for a Constitution for the sake of the national interest and overseas opinion on Wednesday, and then invite a greater crisis by resigning from office on Thursday? The core of Mr de Klerk's case was the dominance of the Government by ANC members. It may soon be exclusively staffed by them. While the Constitution may not have been perfect, it contains much designed to placate white interests.

South Africa certainly needed the normal politics of opposition at some point, but this was hardly an opportune moment. Without the restraining influence of the National Party, President Mandela will find managing the Government much harder. It is unclear whether the party itself is ready for the opposition role it has adopted. At present its only prospective partner is Chief Buthelezi. A revival of the old apartheid era alliance of Boer and Zulu can hardly be expected to temper the policies of an ANC administration. Unless Mr de Klerk changes course before June 30, when the Constitution is due to take effect, South Africa will suffer for it. It will take all President Mandela's qualities of charisma and reconciliation to limit the damage.

WESTMINSTER PROCESS

Bad judgments, bad policies and a bad system of redress

The report compiled by the District Auditor, John Magill, paints a damning picture of Tory control of Westminster council. Labour taunted John Major with its findings yesterday and the Prime Minister had to struggle hard to argue that he could not properly pronounce on the guilt of Dame Shirley Porter and her colleagues before they had put their case in open court. In principle Mr Major was justified in avoiding comment. But principle has never played much part in this sorry affair.

The case against Dame Shirley seems simple. The charge is that Westminster council neglected its statutory obligations to house the homeless in its zeal to sell council houses sold to potential Tory voters. Mr Magill argues that by designating certain properties for sale, the Council kept the homeless out of them so they could remain available for any prospective buyer. Mr Magill contends that this meant unnecessary extra expenditure in rent lost and money spent housing the homeless in expensive temporary accommodation. Worse, the lives of one hundred families were allegedly put at risk by their being housed in two asbestos-ridden tower blocks while superior homes were available. Worse still, it is argued, the policy was pursued not out of a disinterested desire to "build stable communities" but a partisan drive to build Tory majorities.

The charges are serious. Bad judgements were made. Bad results occurred. But the whole matter requires more context than has generally been given. It is legitimate, arguably admirable, for any council to encourage home ownership in an inner-city area. There may have been a political benefit for Conservatives in increasing the number of homeowners but there was also a political benefit for the Labour leader of the London County Council, Herbert Morrison, in studding the city with council estates.

Morrison was acting in a way he thought both right in policy terms, and potentially politically advantageous. The same was true of Dame Shirley.

Balancing the desirability of extending ownership with duties to those who require social housing is a political calculation. Councilors can get it wrong — and often do. If their sin is political, then the punishment should be political. If Westminster councilors pursued a policy that was fiscally irresponsible, that is a matter for the electors. This Government's forlorn defence of sterling's position in the ERM meant millions were wasted in a day but none suggests John Major and Norman Lamont should be held personally financially liable. The electorate will decide how they should pay for their political misjudgment come the general election. It should be for the voters of Westminster to decide if they wish to be represented by an authority which pursued the Porter policies.

If councilors have been criminally irresponsible, and put lives at risk, then that is a different matter. They should be pursued under the criminal law. They should enjoy the protection of due process and, if found guilty, feel the full weight of the system. If lives have been endangered the guilty should not be judged by a district auditor who acts like a district attorney.

John Magill's inquiry has lasted longer than John Major's premiership. It has cost £2,746,233. It has placed an immense strain on the families of ten individuals originally accused of wrongdoing. One of those ten committed suicide. Three of them have not been charged by the inquiry but they are still much the poorer, having had to incur substantial legal costs which they cannot now recoup. This matter will not end for years yet. Before it does, the wisdom of judging local councilors and officials in this way should be reviewed, and urgently.

CITY BIRDS

The country is quieter but the town is full of song

Birds of very different feathers — conservationists, industrialists, the police and even the Army — yesterday flocked together on the banks of the Mersey. Using the world's loftiest hydraulic platform and mobilising the sort of lumbering track-laying equipment normally used to take on the might of Nato's enemies, they installed two steel boxes nearly 300 feet up on the outside of a disused cooling tower. The purpose of this quasi-military exercise had nothing to do with the defence of our realm. It was to provide a site for the peregrine falcon to breed, safe from unscrupulous humans.

Our sceptic's life was once a fortress built by Nature for herself. Nowadays too much of it is more like a sceptic's life, and nature's fortresses are engineered by man. The peregrine, prized by medieval falconers for the slicing speed of its stoop, has been decimated, poisoned by pesticides. Intensive agriculture has removed rural retreats. Fortunately the urban and suburban sprawls provide habitats that birds of old would never have thought of.

Choughs breed in the abandoned mineshafts of slate quarries. Kestrels hover above the banks of motorways where the rough grass verges provide shelter for the mice on which they feed. In the mooring tyres on the banks of canals coots build their homes. As birdsong grows quieter in the

countryside, the towns reverberate with song. Sceptical readers will find more from our Weekend section tomorrow.

Since the passing of the Clean Air Act Londoners have seen a huge increase in the number of resident species. The black redstart came over to England after the war to take up residence in bombed buildings; it has never left. Swifts, swallows and martins build under eaves, feasting on flies spawned by rubbish. Cosseted by a blanket of urban warmth, sparrows, thrushes, wagtails and robins survive the harsh winter.

Wrens, by syrupy tradition, dwell in old kettles. But the blackbird, despising such kitsch, prefers a more technological home — car engines, flue pipes and air-conditioning units. Birds feather their nests with the consumerist offcuts: polythene, chocolate wrappings, Sellotape and crisp packets.

The fowls of the air are adapting to man. Man, in turn, is increasingly more solicitous of birds. Volunteers swab oil from guillemots caught in slicks. The SAS guards the nests of ospreys. Artificial islands are constructed in reservoirs to lure water birds. Industry is bequeathing its disused structures to peregrines. Though Chaucer might find himself perplexed by the human zoo inside the Palace of Westminster, outside, in the parks and squares of London, he would find a true Parliament of Fowles.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Britain and Europe: seeking ways round the impasse

From Sir William Nicoll

Sir, The reactions (letters, May 7) to Sir Roy Denman's letter of May 1 show how the power relationship between the rest of the European Union and the UK can be misunderstood.

Unless British secession from the European Union were particularly venomous (and some of the language of today is unpropitious), there is every prospect that the UK could negotiate any one of at least three options: membership of the European Economic Area (giving access to the Single Market), of the Customs Union (although agricultural trade would be a problem), or of an industrial free trade area. There would need to be a separate reciprocal agreement on services if we wanted to hold on to free circulation and rights of establishment.

The rules of a free trade area in goods in such matters as origin, anti-dumping and countervailing duties would be beyond doubt to those which the Union currently applies, with British approval, in all its other free trade areas: otherwise other partners would want whatever more favourable treatment the UK had been able to secure. These rules would of course be as World Trade Organisation-proof as they already are. There would be a safeguards clause, open to either party to invoke.

The agreement(s) would provide for institutionalised meetings between the EU and the UK to ensure their good functioning. It is in that forum that the UK could expect to come under continuous pressure to refrain from allegedly uncompetitive behaviour, whether it concerned environmental measures, social and employment policy, fiscal or the exchange rate. The side agreements in the North American Free Trade Agreement show the kind of issues that would unfailingly be addressed.

Since a free trade area does not involve a common commercial policy, the UK would have no standing in EU campaigns to open up difficult markets, just as the EU does not gain from the US-Japan bilateral.

As to relations with the US, it is American leaders who tell us that out of the EU our significance would diminish. With the one dissenting voice of Mr McNamara in his retrospections, successive Administrations have now been saying it for nearly five decades.

Yours faithfully,
WILLIAM NICOLL
(Director General,
Council of the EU, 1982-91),
Outback, Nackington Road,
Canterbury, Kent.
May 7.

From Mr Ronald Forrest

Sir, Mr Malcolm Rifkind's article, "A national party, not a talking shop" (May 7), will give Tory activists throughout the country hope that the party can approach the general election united on a truly Eurorealist policy.

The Foreign Secretary writes of a Europe remaining "a partnership of nations" and suggests we should champion those "who favour looser partnership". Provided the Government implements this policy in the inter-governmental conference, and provided other leading members of the Cabinet do not now sing from a different hymn sheet, there will be no reason at all for any so-called Euro-sceptic to demur.

With such a policy the division between the Tory Party and the Opposition parties will be clear for all to see and a fifth election victory will be a distinct possibility.

Yours faithfully,
RONALD FORREST
(Chairman, Presell Pembrokeshire Conservative Association),
Delfryn, Castle Morris,
Nr Haverfordwest, Pembrokeshire.
May 7.

From Mr Christopher Jackson

Sir, Remembering the evils brought on Europe by rampant nationalism, I shiver at the instances of ignorance and nationalist prejudice displayed on the centre pages of *The Times* of May 7. Balance and accuracy in this argument is important.

Woodrow Wyatt ("A change of heart on Europe") says, wrongly, that the European Parliament is "determined to be superior to ours though subordinate to the non-elected European Commission". In fact, the European Commission is responsible to the Parliament not vice versa: the commissioners may be dismissed en bloc by the Parliament, though they have not been — yet.

Westminster's support has been and is essential for all measures which have given the EP more power to counterbalance the Council of Ministers and its "unelected" civil servants — while taking no power from Westminster itself, which the EP would not and cannot touch unless Westminster so wills.

Far from being power-mad, it was the European Parliament, not the British Government, that in 1984 was first to push for the decisions-at-the-lowest-level principle of subsidiarity to be incorporated in the treaties — as I know because I proposed the neces-

sary amendment. Being a "citizen of Europe", at which Mr Nick Royle takes umbrage in his letter (May 7), was decided not by the European Commission but unanimously by the governments of the member states, and in most cases by their parliaments — as are all treaty changes. It brings no responsibilities but a few minor benefits.

And thank goodness the Commission has an office in London whose Head is willing to speak out. Otherwise the miasma of misinformation would be even more pervasive and poisonous to the public mind than already it is.

Yours faithfully,
CHRISTOPHER JACKSON
(MEP for Kent East, European People's Party Parliamentary Group (Conservative) 1979-94),
8 Wellmeade Drive,
Sevenoaks, Kent.
May 7.

From Mr Michael Shrimpton

Sir, It is surprising that the Foreign Secretary should be so openly contemptuous of those in his party who have had the courage to oppose John Major's pro-European policy since Maastricht.

If it is of any comfort to him, many of us in the Labour Party have admired the stand of the Tory Euro-sceptics and their willingness to put the national interest ahead of narrow party political considerations. They have set an example to be followed.

Your humble and obedient servant,
MICHAEL SHRIMPTON,
Francis Taylor Building,
Temple, ECA.
May 7.

From Mr Glynn Downton

Sir, I was interested to read that Malcolm Rifkind considers "global free trade, Britain in Europe, an affordable welfare state, a low-tax nation and first-rate health, housing and education" to be "the main challenges of the next decade".

Perhaps the principal reason that the Conservative Party is held in such low esteem is because the great majority of people in this country have considered the challenges enumerated by Mr Rifkind to be those of this decade, if not of the last, and the electorate is keenly aware of how feebly these challenges have been met thus far.

Yours sincerely,
G. DOWNTON,
66 Park Avenue, Maidstone, Kent.
May 7.

baillies that they resolved that whenever a Cameron of Lochiel should officially visit the city, the bells of the Tolbooth should be rung in his honour. They were rung when Lochiel's son, Charles, visited Glasgow in 1776, while the events of 1746 were fresh in the memory of the city council, and this tradition has continued to present times.

In my own time as Chief of Clan Cameron since 1951, the bells have rung on three occasions. On one of them, in 1978, when they were ringing out *The March of the Cameron Men* with great verve and skill, I discovered that the ringers were all members of one family and that the duty and pleasure of ringing the bells had passed from father to son to daughter.

Hopefully, this tradition will long continue.

Yours faithfully,
DONALD CAMERON OF LOCHIEL,
Achnacarry
Spean Bridge, Inverness-shire.

Bells of Scotland

From Sir Donald Cameron of Lochiel

Sir, Jane Wilkinson (letter, April 23) tells us about the bells of St Leonard's, Shoreditch, which rang in honour of the Duke of Cumberland on his return to London from his victory at Culloden, and asks if there are other such instances relating to the Rising of 1745-46.

There is a tradition in Glasgow of bell-ringing which is very closely associated with Prince Charles Edward's campaign. When his army was retreating from Derby and reached Glasgow the citizens, who were Whig in outlook and politics, viewed the Highlanders with horror and made their feelings clear.

The forces of Prince Charles were so annoyed by their unfriendly attitude that they threatened to sack the city, and were only prevented from doing this by the intervention of my ancestor, known as the "Gentle Lochiel". So grateful were the provost and

Right to drive

From Mr P. T. Hall

Sir, I read with some concern your report (May 4) about the veteran learner driver who has failed her driving test after 1,500 lessons.

Driving a car should not be seen as a right. The misplaced determination of her driving school to score a "pass" does no one any favours.

The learner driver in question admits to getting very nervous when she is behind a wheel. I too get very nervous at the thought of someone so clearly unsuitable being allowed to drive unsupervised on our increasingly busy roads.

Yours sincerely,
PETER HALL,
15 Pemberton Avenue,
Walthamstow, E17.
May 4.

Changeable

From Mr Richard A. Wootton

Sir, It is my understanding that using the phrase "hours of darkness" and not "hours of light" (letter, May 6) has less to do with any Satanic influence on modern life than with road traffic legislation. It is an offence to fail to display vehicle lights during darkness.

Perhaps the constabulary prefer the authority of the Met Office to information in even the best pocket diaries, which tend to favour "lighting-up time".

Yours etc,
R. A. WOOTTON,
Mill Hall,
Porters Mill,
Droitwich, Worcestershire.
May 7.

Living wills

From Dr Christopher Burns-Cox

Sir, The letters from Mr Roger Goss and Dr Margaret White (May 3) on medical ethics and "living wills" may worry readers. Mr Goss states that the patient starves to death if a feeding tube is removed. Death in one to three weeks is due to the effects of lack of body fluid, not starvation. Dr White refers to death from thirst. There is no evidence that in this situation people feel thirst. Meticulous nursing keeps the mouth clean and moist.

The living will is a sensible way of helping others to do what the patient would have wanted: it reduces the suffering of family and friends. Every adult, as well as carrying an organ donor card, should make a will and a living will and provide an enduring power of attorney.

Yours sincerely,
CHRISTOPHER BURNS-COX
(Consultant Physician),
Frenchay Hospital,
Frenchay Park Road, Bristol.

From Dr Helen Cosgrove

Sir, Dr Margaret White suggests that a person who is comatose may also be "peaceful and at rest." Unfortunately the two are not synonymous.

If people are unable to express themselves (either in words or through movement) because of neurological damage, that does not mean they may be incapable of experiencing massive pain or distress caused by that damage. We are not, and never will be, in a position to judge.

Yours faithfully,
H. COSGROVE,
2 Durham Road,
Lancaster, Durham.
May 3.

Women's equality 'still to be won'

From Ms Tessa Jowell, MP for Dulwich (Labour)

Sir, Your report on the increase in the number of complaints of sex discrimination at work made by men ("Feminist accuses men of abusing sex equality laws", May 6) gives less than the full picture.

It is true that the Equal Opportunities Commission received more complaints about job recruitment from men (820) than women (803) last year but, by reporting only these figures, you fail to acknowledge the extent to which women still experience discrimination at work.

The EOC received thousands of other complaints of discrimination last year, almost all of which were made by women. There were 1,488 complaints about maternity pay and conditions and 456 from women who had been dismissed because of pregnancy. Of the 735 complaints about sexual harassment and 1,079 complaints about unequal pay, roughly 99 per cent came from women.

The figures relating to complaints of discrimination in recruitment practices say more about the changing nature of the labour market than about "anti-male discrimination". With the disappearance of traditionally "male" jobs in manufacturing, men are increasingly applying for part-time jobs. What they are finding is they are being turned down because these jobs are still considered "women's jobs". In effect, the figures simply show that men are now experiencing stereotypical attitudes in the same way women have for years.

Discrimination is wrong, whether it be against men or women, but don't let us be lulled into believing that the battle for equality at work for women is anywhere near being won.

Yours sincerely,
TESSA JOWELL
(Shadow Minister for Women),
House of Commons.
May 7.

Bullfighting

From the Director General of the RSPCA

Sir, The RSPCA deplores the barbaric "sport" of bullfighting and the fact that Cristina Sánchez (report and leading article, May 2) has killed about 400 bulls so far is nothing to be proud of.

British taxpayers are still inadvertently subsidising bullfighting, as Spanish breeders commonly exploit loopholes in European rules to claim subsidies for the breeding of bulls used in fights. Despite international condemnation by animal welfare groups, bullfighting is still common in Spain, Portugal and France and in fact are on the increase.

The slow, gruesome death of more than 30,000 bulls each year in Spain alone (which would be illegal in any slaughterhouse under EU legislation) is a serious animal welfare problem which the RSPCA will continue to campaign against.

Yours faithfully,
PETER DAVIES,
Director General, RSPCA,
Causway, Horsham, West Sussex.
May 9.

From Dr Jeremy MacClancy

Sir, Cristina Sánchez is not "about to become the first female matador, or first division bullfighter, in the history of Spanish bullfighting" as your report states. There is a long history of women reaching the first division.

What distinguishes Ms Sánchez is the fact that she does not win popularity by playing on her femininity: she relies on the traditional values of pluck, grace, and great determination. As she has said, "Sex is irrelevant inside a bullring. The bull does not ask for your identity card."

Yours faithfully,
JEREMY MACCLANCY
(Author, *Sport, Identity and Ethnicity*, Berg, 1996),
Oxford Brookes University,
Department of Anthropology,
Gipsy Lane Campus,
Hendon, Uxbridge, Middlesex,
May 3.

Art bypass

From Mr John Murphy

Sir, Can anyone in the arts establishment explain why the Matisse, Vermeer and now the Corot exhibitions leapfrog this country?

I am, Sir, yours faithfully,
JOHN MURPHY,
White House, Pewley Hill,
Guildford, Surrey.
May 6.

Flower power

From Brigadier Norman Allen (ret'd)

Sir, I note with much regret (report, May 2) that the Army's trained strength has declined to 104,000 — less than the membership of the National Association of Flower Arrangement Societies.

Should General Sir Charles Guthrie require reinforcements, there are many formidable battalions in the NAFAS.

Yours faithfully,
NORMAN ALLEN
(Administrator), NAFAS,
21 Denbigh Street, SW1.
May 3.

Business letters, page 25

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

OBITUARIES

GENERAL JEAN CRÉPIN

General Jean Crépin, Commander-in-Chief of Allied Forces, Central Europe, 1963-66, died on May 4 aged 87. He was born in Bernaville (Somme) on September 1, 1908.

A PROGRESSIVE weapons engineer who was responsible for France's remarkable post-war achievements in missile development, Jean Crépin also has his place in the history of the Fifth Republic for his steadfastness in its time of peril during the Algerian crisis in 1960. When General Massu was dismissed from his command of the Algiers Army Corps on January 22, 1960, after publicly disagreeing with de Gaulle's thoughts on home rule for Algeria in the columns of the Munich newspaper *Süddeutsche Zeitung*, Crépin was appointed in his stead.

The situation was explosive. A popular paratroop commander, Massu was the darling of the Army. His sentiment "We no longer understand the policy of de Gaulle... the Army will never leave Algeria," echoed the inmost thoughts of most of Algeria's French settlers. Even General Challe, de Gaulle's Commander-in-Chief in Algeria who was then on a visit to Paris, was equivocal in his support of the President of France. Several of de Gaulle's ministers also feared that the dismissal of Massu would lead to a revolt.

They were proved right. In Algiers French citizens took to the streets and barricades were erected. Demonstrators roamed the streets shouting "De Gaulle au poteau" (De Gaulle to the gallows). Pierre Lagallarde, a deputy in the National Assembly, put on his paratrooper's uniform and, at the head of a crowd of insurgents, seized the university buildings, shouting: "We prefer death to surrender!"

At the head of his corps Crépin stood firm. Over loudspeakers he broadcast a non-stop demand that the insurgents surrender. He had the rebels' electricity and water cut off. He prevented other rebellious spirits from approaching the university.

Within a few days the revolt was over and its members laid down their arms. Lagallarde was arrested and sent to Paris. Crépin's loyalty was rewarded by his being made C-in-C Algeria in succession to Challe.

Jean Crépin was the son of a



northern industrialist. Educated at the Lycée Saint-Louis in Paris, he later graduated from the École Polytechnique. He then joined the Army and as a young lieutenant served in the colonial artillery in China in 1930 and then in the Cameroons, North Africa and the Sahara. The outbreak of war in 1939 found him serving as an artillery *chef d'escadron*. He had already made himself a reputation as an innovative gunner, and his principles of artillery co-ordination and range-finding were to prove useful to the Free French Army in North Africa.

In August 1940 Major, later Marshal, Philippe Leclerc, who had been sent by de Gaulle to the Cameroons, found Crépin and other Gaullists in Victoria, British Cameroons, where they had gone from Douala, French Cameroons, then occupied by the

Vichy. The Free French retook Douala and then Gabon. Crépin later fought with Leclerc's 2nd Armoured Division in Libya and alongside the British in the Tunisian campaign of 1943. He later rose to command the artillery of the 2nd Armoured Division and was in that post when Leclerc entered Paris in August 1944.

De Gaulle, who appreciated this gruff, no-nonsense but highly capable officer, made him a *Compagnon de la Libération*, the highest Free French honour. At the end of the war the 2nd Armoured Division was involved in the capture of Hitler's fortress at Berchtesgaden.

But within a few months of the end of the war in Europe, Leclerc, Crépin and other officers were on their way to Indochina with the French expeditionary force. Crépin

was appointed deputy commanding officer of French forces in northern Indo-China and took part in negotiations with the Vietnamese.

The failure of these talks led to Ho Chi Minh declaring a war that was to have dire consequences for France and the United States. While Leclerc occupied Hanoi, Crépin was appointed Commissaire de la République in Tonkin and North Annam.

He did not stay long in Indochina. Back in Paris in the late 1940s, Crépin was promoted to the rank of general and moved onto the political stage as senior military adviser to the Defence Minister René Pleven and the Prime Minister Georges Bidault.

In the mid-1950s he became deputy secretary-general of national defence and then inspector-general of arms pro-

grammes, a position that was a precursor of his later role in developing tactical missiles.

He moved to Algeria in 1959, serving as an army corps commander fighting the FLN rebels south of Oran before being switched to Algiers, where he made a name for himself for his suppression of the "Barricades Revolt" in the city streets.

After his period as C-in-C Algeria, Crépin was made commander of French forces in Germany in 1961. Shortly afterwards he was made Général d'Armée, becoming at the age of 53 the youngest-ever five-star general in the French Army. Then, in 1963, he became Commander-in-Chief of Allied Forces, Central Europe, the last Frenchman to hold that command before de Gaulle withdrew French forces from the integrated Nato command in 1966.

A new career started after he retired from the army in 1967. There was a shake-up at the top of Nord Aviation, makers of military transport planes, such as the old Nord 262 and its replacement, the Transall. At the point at which the French Government appointed Crépin as its chairman, the company had moved into battlefield missiles.

The new head, with his lengthy artillery experience, was to oversee the development of both anti-tank and anti-aircraft missiles, two areas of tactical guided weapons in which France gained a world-class reputation at that time. Crépin also encouraged his engineers to undertake programmes devoted to anti-missile defence systems and research into vertical take-off and landing.

He organised the company's merger with Sud-Aviation, noted for the Caravelle jetliner as well as military systems, and Sereb, the ballistic missile company. All three came together as SNIAS (Société Nationale Industrielle Aérospatiale) in 1970 which, in turn, became the current aerospace giant, Aérospatiale, of which Crépin served as vice-chairman until 1975. During the same period (1972-75) he headed the Franco-German Euromissile group, devoted to anti-tank and anti-aircraft missiles.

He was holder of the Grand-Croix de la Légion d'Honneur, the Distinguished Service Order and the American Silver and Bronze Stars.

His wife Simone predeceased him and he is survived by his two daughters.

Dominguin, Spanish bullfighter, died in Sotogrande, Cadiz, of a cardiac arrest on May 8 aged 69. He was born in Madrid on December 9, 1926.

ALL of Spain, and not just the sentimental world of bullfighting, was plunged into grief by the sudden death of the bullfighter Dominguin. Dominguin's prowess had been celebrated during his lifetime by Ernest Hemingway and Ava Gardner — in their different ways and for very different reasons.

The bullfighter, whose real name was Luis Miguel González Lucas, had been a national icon for most of his eventful life. Born into a bullfighting family, he achieved fame as much by his many conquests outside the bullring as by the skill he displayed once inside it. Rakishly good-looking, muscular and taller than most Spaniards of his generation, Dominguin was an adroit and arrogant bullfighter, who ascended to the status of "matador", or the first division of bullfighting, at the early age of 17.

His father, also a bullfighter, who fought under the name of Domingo Dominguin, steered his son towards the bullring as a youth. The boy was barely 12 when he faced and killed his first *becerro*, or young bull aged between two and three years. At a mere 14 he became a *novillero*, or a fighter of bulls older than three. Bulls grow fiercer as they get older and at four years of age are believed to have reached their most aggressive peak. It is these bulls — fierce, full-grown *toros* — that matadors face in the ring, and for Dominguin to have done so at the age of only 17, at a time when Spain's bulls did not suffer from the present curse of gentleness, was a considerable feat indeed.

Later in life, Dominguin (as he had now been renamed by his public) became a close friend of Hemingway and was a passionate admirer of the American writer's classic work on bullfighting, *Death in the Afternoon* (1932). Dominguin's apparent rivalry with Antonio Ordóñez — a contemporary and arguably better matador — caught the attention of Hemingway, and he profiled their relationship in his book *The Dangerous Summer* (1959), published first as a three-part serial in *Life* magazine. Yet this rivalry,



according to Joaquín Vidal, the most acute observer of tauromachy today, was probably "more literary than real". Dominguin retired from the bullring in 1960, and his departure was marked in verse by Rafael Alberti, now the nonagenarian doyen of Spanish poetry, in *Un solo toro para Luis Miguel Dominguin*. "Luis Miguel, Vuelvo a los toros por ti, yo, Rafael. Por ti, al ruedo, al redondeo — ¡ay, con más años que miedo! — Luis Miguel," he wrote (translated as "Luis Miguel, I, Rafael. Return to the bulls for you. To the arena — oh, what fear when we are older! — Luis Miguel.")

There was another kind of poetry in the life of Dominguin — who married the Italian actress Lucia Bose in 1954: the poetry of women. His deftness with cape and sword apart, it was really for his conquests of beautiful women, of whom there was an apparently endless stream, that Dominguin was lauded in Spain and abroad. His most public relationship, by which he first captured the imagination of the non-bullfighting world, was with the American film star Ava Gardner.

Once, in 1956, when Miss Gardner was in a Madrid hospital for a minor operation,

he filled her room with 56 vases of red roses, one for every year gone in the century. Their affair, which lasted from 1953 to 1956, was expected to end in separation from Lucia, but that did not happen until over a decade later. Miss Gardner, recalling those days later in life, sometimes regretted that she did not marry Dominguin. The bullfighter, however, had no such regrets. When asked recently if he should have married the glamorous actress he replied simply: "No. She would have left me no time for the bulls."

Dominguin was also linked at various times with Rita Hayworth, Lana Turner, Lauren Bacall, Brigitte Bardot and his own niece Mariv. That last affair so scandalised Carmen Polo de Franco — with whose husband, the General, Dominguin often went hunting — that she ordered a curt halt to his relationship with the girl.

Dominguin was a close friend also of Pablo Picasso. When Dominguin made a brief and ill-advised comeback to the ring in 1971, Picasso himself designed the matador's farewell suit of lights.

He is survived by his second wife, Rosario Primo de Rivera, whom he married in 1987, and by a son and daughter from his first marriage.

PHILIP RIDLEY

Philip Ridley, CB, CBE, Deputy Secretary at the Department of Industry, 1975-80, died on May 1 aged 75. He was born on March 25, 1921.

PHILIP RIDLEY'S reputation as a "safe pair of hands" at the Department of Industry (later the Department of Trade and Industry) was enhanced by his handling of the Flixborough disaster in the summer of 1974. As the man from the ministry responsible for Britain's textiles and chemicals

industries, he helped to set up the inquiry and to co-ordinate events following the explosion at a Humberdale chemical plant in which 29 people died and 100 nearby houses were destroyed.

That the country's chemicals industry did not suffer more collateral damage through an erosion of public confidence was at least partly due to Ridley's reassuring efficiency in the months which followed. With four years experience behind him as Commercial Counsellor at the

British Embassy in Washington, Ridley was then an Under-Secretary at the Department of Industry — the Whitehall department in which he had spent most of his career. Twelve months after Flixborough he was promoted to Deputy Secretary at the ministry with a wider area of interest, before retiring from Whitehall in 1980.

Yet Philip Ridley had originally embarked on a career at the Foreign Office, and he still entertained some regrets about switching to the

Home Civil Service. Born in Sandhurst, Surrey, he was the son of an architect who, on finding clients hard to come by during the 1930s Depression, invested instead in a Sussex farm. It was there that Philip lived in his teenage years, cycling two miles a day to a country station to catch the train to Lewes County Grammar School.

He won a scholarship to Trinity College, Cambridge, where he rowed for the college before taking a first in modern languages. His course was

shortened to two years because of the Second World War, and on graduating he was immediately called up by the Army.

Ridley was commissioned into the Intelligence Corps and sent off to West Africa for two years, returning to take part in the battle for North West Europe. He was landed by a glider in Germany as an intelligence officer attached to the 6th Airborne Division and fought with them until VE-Day.

He remained in Germany after the war, attached as a major to the British Control Commission in Berlin, then returned to join the Foreign Office's German section. There he found himself engaged on similar work to that which he had just left, but this time in the role of a civil servant. He left the Foreign Office after three years, concerned that the turbulence of overseas postings could disrupt his children's education.

He moved instead to the Ministry of Supply, 1951-55, and then the Board of Trade, 1955-56. After two years at the Atomic Energy Office he returned to the Board of Trade, then in 1966 left for his tour in Washington. He was appointed CBE in 1969 and CB in 1978.

On retiring from the Civil Service, Ridley became a di-



rector of the Avon Rubber Company and also accepted a number of consultancies — mainly with chemicals and associated industries, an area

which by that time he knew so well. He gradually relinquished these in the late 1980s, however, and concentrated thereafter on voluntary work

around his Sussex home.

Conservation of the countryside was a chief concern. He was a leading figure in the Chaleys Common Society, as well as his local footpaths society and the Farming and Wildlife Action Group, which seeks to bring farmers and conservationists together.

A big man, 6ft 2in tall and well built, he kept himself lean and fit with long country walks, energetic gardening and skiing. He continued downhill and cross-country skiing until two years ago. But he was also fond of music, especially opera, and made regular pilgrimages to Glyndebourne five miles away. He was a calm, phlegmatic and well-liked civil servant who was known for being considerate to subordinates. His rather old-fashioned, episcopal manner earned him the affectionate sobriquet of "The bishop", which he accepted in good spirit.

Ridley married his wife Foye, a friend from childhood, in 1942 when she was 19 and he had just turned 21. They had to bring forward the wedding because he was posted by the Army to West Africa. She survives him, together with two sons and a daughter. Their elder daughter died 30 years ago, shortly after their arrival in the United States.

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